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FIRST REGULAR SESSION HELD UNDER THE
REVISED CONSTITUTION.

MONTGOMERY, ALABAMA,
November 11th, 1861. }

This being the second Monday of November, the day fixed by the Constitution of the State for the meeting of the General Assembly of said State, the Senate assembled in its chamber at the capitol.

On motion of Mr. Jemison, Mr. Calhoun was called to the chair.

On motion of Mr. Rice of Montgomery, Mr. Micah Taul was requested to act as Secretary *pro tem*.

The following Senators were present:

Messrs. Brewer, Calhoun, Cato, Clarke, Coleman, Comau, Crump, Davis, Groce, Hammond, Hardwick, Harrison, Heflin, Hill, Jackson, Jemison, Matthews, Moren, Morgan, McIntyre, Patton, Reavis, Rice of Jackson, Rice of Montgomery, Stone, Toulmin and Wood—27.

The Senate proceeded to the election of a President.

Mr. Reavis nominated Mr. Patton of Lauderdale. Mr. Patton alone being in nomination, and having received twenty-six votes, it being the whole number cast, was declared duly elected President of the Senate for the term prescribed by the Constitution.

On motion of Mr. Harrison, a committee of three was appointed to inform Mr. Patton of his election. The chair appointed Messrs. Harrison, Jackson and Hammond said committee.

Mr. Patton appeared, was qualified, and entered upon the duties of the office.

The Senate proceeded to the election of a Secretary.

Mr. Heflin placed in nomination the name of Micah Taul of Talladega.

Mr. Taul alone being in nomination, and having received twenty-six votes, it being the whole number cast, was declared duly elected Secretary of the Senate for the term prescribed by the constitution.

The Senate proceeded to the election of an Assistant Secretary.

Mr. Rice of Montgomery, nominated Mr. W. W. Screws of Montgomery. Mr. Screws alone being in nomination, and having received twenty-seven votes, it being the whole number cast, was declared duly elected Assistant Secretary of the Senate for the term prescribed by the constitution.

The Senate proceeded to the election of a door-keeper. Mr. Rice of Jackson nominated Mr. W. J. B. Padgett of Jackson county. Mr. Padgett alone being in nomination and having received twenty-seven votes, it being the whole number cast, was declared duly elected door-keeper of the Senate for the time prescribed by the constitution.

The Secretary, Assistant Secretary and Door-keeper were qualified and entered upon the discharge of their respective offices.

On motion of Mr. Calhoun,

Resolved, That the President be authorized to appoint the following Standing Committees:

A committee on the Judiciary; Banks and Banking; Confederate Relations; Propositions and Grievances; Sixteenth Sections; Education; Retrenchment; Accounts and Claims; Penitentiary; Agriculture; County Boundaries; State Printing; Roads, Bridges and Ferries; The Military; Enrolled Bills; State Capitol; Corporations; Finance and Taxation; Internal Improvement; Privileges and Elections; Public Lands; Insane Hospital.

On motion of Mr. Calhoun,

Resolved, That the House be informed that the Senate has organized by the election of R. M. Patton of Lauderdale, President; Micah Taul of Talladega, Secretary; W. W. Screws of Montgomery, Assistant Secretary, and W. J. B. Padgett of Jackson, Door-keeper; and is now ready to proceed to business.

A message was received from the House of Representatives announcing that the House had organized by electing Hon. W. H. Crenshaw, Speaker; Alex. B. Clitherall, Principal Clerk;

Bolivar Eason, Assistant Clerk;
 Sampson Lanier, Engrossing Clerk;
 M. M. Nall, Door-keeper;

And are now ready to proceed to business.

A message was received from the House announcing that a committee of three be appointed by the House to act with a like committee on the part of the Senate to inform the Governor that the two Houses had organized and are ready to receive any communication he may have to make. Messrs. Benners, Burnett and Pickett are the committee on the part of the House.

The Senate concurred in the resolution of the House, and Messrs. Rice, Toulmin and Clarke were appointed the committee on the part of the Senate.

Mr. Rice of Montgomery, asked leave to return the papers in the hands of the Judiciary committee, referred during the extra session; granted.

Mr. Harrison, from the committee on Banks and Banking, made a like request; granted.

Mr. Rice of Montgomery, from the Joint committee to wait upon the Governor, reported that they had discharged that duty, and that the Governor would communicate in writing with the two Houses to-morrow, at 10 o'clock. The committee were discharged.

Mr. Rice of Montgomery introduced the following resolution:

Resolved, That the Judiciary committee, when raised, be instructed in their action upon the subject of any bill in relation to the regulation of judicial proceedings, so to amend said bill as first to make it apply with equality and justice to all debts and demands contracted before the said bill takes effect as a law, whether reduced to judgment or not.

2. To exempt all debts and demands contracted after the bill takes effect as a law from the operation of this or any other stay law, further than to provide that they may be sued on and judgment recovered at the second term after they are sued on.

3. To authorize the making of an advance on cotton to a safe and reasonable extent in bonds and treasury notes of this State.

4. To make all such bonds or treasury notes a practical tender in payment of all debts and demands contracted before the bill takes effect as a law.

5. To provide that said bill shall take effect as a law ten days from its passage and approval by the Governor.

Mr. Reavis moved to amend the third proposition of Mr. Rice, by striking out and inserting as follows:

To provide for the assumption and payment of the Confederate war tax.

To provide for a postponement of the collection of the tax for the years 1861 and 1862.

To provide for the issue of State treasury notes for the purpose of meeting all the disbursements the State may have to make, and for the purpose of being exchanged with citizens for Confederate and State bonds.

To provide for levying a tax of ten per cent. on all money belonging to individuals which is deposited, hoarded up, or otherwise purposely withheld from circulation.

To provide for legalizing the suspension of the banks during the war, and one year afterwards, on condition that the banks lend the State an amount sufficient to pay the war tax to be collected in this State.

Pending the consideration of which, the Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, November 12th, 1861.

The Senate met pursuant to adjournment.

Prayer by Mr. Brewer, Senator from Coosa county.

Mr. President announced that the standing committees of the Senate would be composed of the same Senators as constituted the standing committees of the called extra session with the following changes:

Add to the Judiciary, Mr. Cato.

Banks and Banking, Mr. Calhoun.

Public Lands, Mr. Cato, who would act as chairman of the same.

The following message was received from the Governor by his Private secretary, Mr. Albright:

EXECUTIVE DEPARTMENT,

Montgomery, Ala., Nov. 11, 1861. }

Gentlemen of the Senate and House of Representatives:

There were some matters omitted in my late message, and others have transpired since, to which I desire to call the attention of the general assembly.

By an ordinance of the State Convention entitled "an ordinance in relation to the waste and unappropriated lands in the State of Alabama," the State asserted the right of

property in, and assumed the control and jurisdiction of said lands. By the third section of said ordinance it is provided "that the Registers of the several district land offices, and the Receivers of public money for lands in said districts of this State, are hereby removed and their offices vacated, and the duties heretofore required by law to be performed by the Registers and Receivers of the several land offices, shall be performed by one person at each office, who shall be styled the Register and Receiver, and who shall be appointed by the Governor for such term as the general assembly may by law provide; and all such officers, except in the land districts where said offices are herein abolished, are hereby appointed to their several offices respectively for the unexpired period of their terms." By this ordinance the offices of Registers and Receivers were abolished, and the persons holding them reappointed; provided, they were willing to accept "for the unexpired period of their terms."

The term of the Register of the land office at Centre had expired a short time before the adoption of said ordinance, and the Receiver was appointed to perform the duties of both offices. In all the land districts the officers gave bond as required by the ordinance, and entered upon the discharge of their duties on the — day of June, 1861. It will be seen that said ordinance makes no provision for the payment of but one officer. This, no doubt, was an oversight in the Convention, and I recommend that a reasonable salary be fixed for both Registers and Receivers for the unexpired period of their terms.

By the 36th section of this ordinance it is provided "that any citizen of this State, whether male or female, who shall not in his or her own right be the owner of land, and who is at the same time the head of a family, shall be entitled to enter eighty acres of land free of all costs and charges," &c. It has been suggested to me by one who is in position to know, that the benevolent provisions of the section of the ordinance referred to have been abused at one of the land offices, and frauds committed in the entry of lands under it. I therefore recommend that, if possible, provisions be made more effectually to prevent fraudulent entries of public lands.

Since writing the above, I have approved a bill passed by the legislature suspending the operation of said 36th section of the ordinance referred to, which renders any further action unnecessary in regard to it.

STATE BONDS.

On the 31st day of October, 1861, the Bank of Montgom-

ery purchased State bonds to the amount of forty-five thousand dollars, and promises to purchase five thousand dollars more in a short time. This liberal purchase of bonds in this crisis entitles it, in my opinion, to be placed in the same condition of the other banks of the State. I therefore recommend that it be authorized to suspend specie payments, with the proper limitations and restrictions. I make a similar recommendation in regard to the Farmers' Bank, which, I am informed, has deposited \$100,000 in Confederate States bonds with the Comptroller under the free banking law.

MILITARY FUND.

As a considerable amount has been added to the Military Fund since the 22d October, 1861—up to which time the statement was made in my late message—I now add the following statement showing the balance in the treasury of this fund on the 6th day of November, 1861.

The entire receipts at the treasury under the acts "to raise money and to provide for the military defense of the State of Alabama," and to authorize certain banks to suspend specie payments, including interest on payments up

To 30th September, 1861.....\$679,774 09
Disbursements to same date..... 462,536 41

Balance in treasury 30th September, 1861..... 217,237 68
Receipts from 30th Sept. to 6th Nov., 1861..... 430,577 12

Total..... 647,814 80
Disbursements from 30th September to 6th November, 1861..... 109,150 76

Balance in treasury on 6th November; 1861.....\$538,664 04

A very large proportion of the amount of this fund expended within the last three months, has been for soldiers' clothing, which it is expected will be returned to the treasury in a short time. There are still existing large contracts for materials and for making clothing, which must be paid out of this fund, for which the State will be reimbursed, as shown in my former message.

It is due to one of the most worthy and patriotic citizens of the State of Alabama, (Col. Joel E. Matthews, of Dallas county,) to state that in January last, and before any appropriation had been made for the defense of the State, and at a time when greatly needed, deposited to the credit of the Governor, in the Bank of Mobile, fifteen thousand dollars to aid in repairing Fort Morgan. This very liberal and

timely donation was expended as designed, as appears in the report of the Quartermaster General. It is further due to Col. Matthews to state that he was appointed Auditor under the provisions of "an act making appropriations for the military defense of the State," approved February 6th, 1861, and after serving for some time, resigned and declined to receive any thing for his services.

HOSPITAL FOR THE INSANE.

For a full understanding of the present condition of the Hospital for the Insane, I refer you to the report of the Trustees and Superintendent, herewith submitted.

This Institution, so necessary for the most unfortunate class of our citizens, should receive the fostering care of the State.

ASYLUM FOR THE DEAF AND DUMB.

This valuable Institution has fully met the expectations of its most sanguine friends; and I take this occasion to suggest that in recommending the suspension of the appropriation for educational purposes during the war, it was not my intention to include the annual appropriation of five thousand dollars made to it. I refer you to the report of the Trustees for an accurate statement of the progress and condition of the Institution.

MILITARY BOARD.

Under the provisions of an act entitled "an act to authorize the Governor to appoint a Military Board, I appointed the late Col. Egbert J. Jones, Gabriel B. du Val, and J. J. Seibels. The board was duly organized and continued to hold daily meetings for about four weeks, when it was discharged. It is due to these gentlemen to say that they concurred with the Executive in the opinion that there existed no further necessity for the continuance of the Military Board.

PRIVATE SECRETARIES.

Under "an act to authorize the Governor to employ two Secretaries," approved January 19, 1861, I employed an additional Secretary and retained him about three weeks, when he was discharged. On the 8th of September last, I employed another. The business of the Executive Department had accumulated to such an extent that it was impossible for one Secretary and myself to discharge it. Two Secretaries will no doubt be necessary to a prompt discharge of the public business of the department during the war, and I recommend that the Governor be authorized to employ them so long as the public exigencies may in his opinion require it.

The act referred to only authorized him to continue them until the end of the present year.

SOLDIERS' HOME.

A Hospital has been established in the city of Montgomery for sick soldiers, called the "Soldiers' Home," which has been sustained by charitable contributions.

The apothecaries of the city have furnished medicines without charge, and the physicians have gratuitously waited upon and administered to the wants of the patients. Montgomery has been the principal point of rendezvous in the State for troops ordered into the service. The consequence has been that for the past six months there have been constantly sick soldiers in the hospital. I am informed that the furnishing of medicines has become a heavy tax upon the apothecaries. I therefore recommend that an appropriation be made to pay for medicines hereafter furnished for sick soldiers in the "Soldiers' Home," to be paid on the certificate of a physician that the medicine was procured and used for that purpose.

The great amount of business pressing upon me has prevented me doing more than to call the attention of the general assembly to the subjects referred to in this message.

A. B. MOORE.

On motion of Mr. Jackson, the message was laid on the table.

Upon the call of the districts, the following bills were introduced—

Mr. Toulmin, a bill to incorporate the Steamboat Captains' and Owners' Union and Benevolent Association of Mobile; which was read twice, under a suspension of the rule, and passed.

A message was received from the House announcing that the House had adopted a resolution requiring that all bills which originated in the Senate be returned thereto, as unfinished business of the called session of the House of Representatives, and also passed the following resolution:

Resolved, That, with the concurrence of the Senate, the two Houses will assemble in the hall of the House on Wednesday the 18th inst., at 12 m., for the purpose of electing a State Printer.

The Senate concurred in the above resolution.

Mr. Toulmin, a bill to amend the charter of the Mobile Savings Bank.

Mr. Rice of Montgomery, a bill to amend an act to incorporate the Bank of Alabama, and for other purposes, approved February 13th, 1860.

Mr. Reavis, a bill to incorporate a bank in the town of Gainesville, to be called the Planters' Bank of Alabama.

Mr. Jemison, a bill, accompanied with a petition, to authorize the city of Tuscaloosa to issue change bills.

All of which were severally read twice and referred to the committee on Banks and Banking.

Mr. Cato, a bill to amend section 3600 of the Code.

Mr. Rice of Montgomery, a bill making the failure to observe the provisions of section 1110 of the Code a misdemeanor;

Also, a bill to define the commissions on sales of Registers in Chancery.

Mr. Reavis, the following bills:

To regulate judicial proceedings;

To consolidate certain districts of the Southern Chancery Division;

To amend section 672 of the Code;

In relation to debts due alien enemies;

To modify an act entitled an act to amend section 2471 of the Code;

To amend sections 2645 and 2649 of the Code;

To prevent the commission of certain trespasses;

To abolish a certain rule of the common law;

To authorize executors, administrators and guardians to rent land; and to amend section 1750 of the Code;

To amend the Code of Alabama, by striking out the words "United States" wherever they occur, and inserting "Confederate States";

For the relief of certain slaves therein named;

Regulating the issue of executions when one or more of the plaintiffs may be dead, and for other purposes;

For the relief of volunteers now in the service of the State, or of the Confederate States;

Mr. Barnes, to allow compensation to executors, administrators and guardians in certain cases;

Mr. Groce, a bill to prevent the exportation of leather from the State of Alabama;

Mr. Coman, a bill to amend an act to regulate judicial proceedings, approved 8th February, 1861;

Mr. Reavis, a bill to amend section 2302 of the Code;

All of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Groce, a petition from citizens of Talladega county; which was referred to the Judiciary committee.

On motion of Mr. Groce,

Resolved, That the Secretary of the Senate be instructed to return to the House of Representatives all the bills, papers and documents relating to the unfinished business of the extra session of the General Assembly now in the possession of the Senate, and which originally belonged to the House of Representatives.

On motion of Mr. Morgan,

Resolved, That in pursuance of section 34 of the Code, the President appoint a committee of three to act with a like committee on the part of the House of Representatives, to examine the offices of Comptroller and Treasurer. Mr. President appointed Messrs. Morgan, Hammond and Groce as said committee.

A message was received from the House informing the Senate that the House, on motion, granted leave for the committee on Ways and Means on State Printing and on the State Capitol of the two Houses to hold joint sessions.

The Senate concurred in the resolution of the House.

The Senate proceeded to the consideration of the resolution offered by Mr. Rice on yesterday, in regard to instructions to the judiciary committee.

The question pending being Mr. Reavis' substitute for the third proposition contained in Mr. Rice's resolution.

By leave, Mr. Cato introduced the following preamble and joint resolutions:

Joint resolutions relating to the Confederate cotton loan; which were read once and 150 copies ordered to be printed, and made the special order for Thursday the 14th inst., at 11 o'clock A. M., provided they do not take precedence of the resolution of Mr. Rice.

By leave, Mr. Harrison offered the following:

Resolved, That the committee on the Judiciary, to whom was referred a bill to regulate judicial proceedings, be instructed to inquire into the expediency of so framing the same as,

1st. Interest on all debts extended, to be paid by the first day of March next, and annually thereafter.

2d. To require judges of the circuit courts to hold their regular terms of court by additional penalties, or a *pro rata* reduction of salary, unless prevented by sickness, and if any such judge fail to hold any circuit court, the clerk thereof may select a competent attorney to hold said court and try causes in which said attorney shall not be interested, and in such causes as he may be a party to, the clerk shall select some other competent attorney to take his place, both parties consenting to.

3d. That all banks in this State shall be required to take in payment of any debt due them or held for collection, the treasury notes that may be issued by the authority of the State, or of the Confederate States, interest coupons past due on the bonds of the Confederate States, and of this State, and the same shall be receivable in payment of and for all public dues to this State.

4th. To repeal section 8 of an act to regulate judicial proceedings, and for other purposes, approved February 8th, 1861, and in lieu thereof require suits at law to be introduced, in which judgments may be rendered at the first term of the court; and when judgment is so rendered on a mortgaged note, the property so mortgaged shall be subject to the debt, and sold as provided in said mortgage, and suit shall not be required to get possession of said property.

5th. Plaintiffs in judgment shall have the right to require additional security on his or their debt; if the defendant give security not satisfactory to the plaintiff, the clerk of the court shall determine the solvency of said security, and his decision shall be final; provided, that said new security shall be held liable in the same manner as the original, and the said clerk shall be liable, as in other cases, in taking insufficient security.

6th. Securities on judgments shall have the right to prevent an extension of the judgment, but the principal may extend by giving other satisfactory security, as provided for in the foregoing section.

7th. That no person or persons shall be entitled to an extension of a judgment founded upon an open account, who has refused or neglected to liquidate by note said open account, more than three months after maturity, when it is proven that said account is just; provided, that all open accounts now past due may be thus liquidated by the first day of March next.

8th. The term to which extension of judgments shall be

allowed, shall have no reference to the time when a treaty may be signed between the United States and the Confederate States of America, not beyond the opening of the blockade, or six months thereafter, at any rate not beyond the first day of May, 1864.

9th. Levy a tax of all sales of bacon, salt, pork, molasses, sugar, flour, corn, wheat, blankets, woolen goods, domestic manufactures and quinine bought in the State since the 1st March, 1861, and resold, or carried elsewhere and resold before the first day of March, 1862, at a profit of more than 25 per cent. on the cost of, and the necessary expenses of the purchase and resale; the tax to be equal to all the profit made over and above the per centage aforesaid to be assessed to the personally interested, whether such person made any such sale himself, or by agent, and when any such sale is made by a commission merchant or agent, to assess to such commission merchant or agent a tax equal to all the per centage or commission received by him on such profits, over and above 25 per cent. of said profit. These taxes to be assessed and collected for the benefit of families of volunteers, to be distributed as may be provided by law, separate and correct statements thereof to be made by assessors and collectors, and to make it a misdemeanor with heavy penalties for any person to refuse or wilfully neglect to give the assessors the tax against him under this act, and make it perjury to swear falsely in regard to the same;

Which was laid on the table, and 150 copies ordered to be printed.

Mr. Clarke offered the following as an amendment to Mr. Rice's resolution:

2d. *Resolved*, That the Judiciary committee be instructed to report a bill by which the sheriffs and constables in the State of Alabama will be required, before selling any property levied on by virtue of any execution in their hands, to have the same appraised at a value not less than such property was worth on the first day of January, 1860; and on the failure to obtain a bid to the amount of such valuation, to return the same to the court from whence it issued, endorsed, "stayed for want of a legal bid."

Pending the consideration of which, the Senate adjourned until 15 minutes past 10 o'clock, to-morrow morning.

WEDNESDAY, November 13, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, Senator from the county of Walker.

Upon the call of the districts, the following bills and petitions were introduced:

Mr. Rice of Montgomery, a bill to relieve volunteers from penalties in certain cases, which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee;

Mr. Barnes, a petition of citizens of Chambers county respecting speculation and monopolies;

Mr. Morgan, a petition for the relief of the physicians of this State;

Which were severally referred to the committee on the Judiciary, with instructions to report by bill or otherwise.

Mr. Clark, a bill to authorize the several banks therein named to suspend specie payments, which was read twice under a suspension of the constitutional rule, and referred to committee on Banks and Banking.

Mr. Moren, a bill to prevent the sale of spirituous liquors within a mile of Mulberry Academy, in the county of Bibb, which was read twice under a suspension of the constitutional rule, and ordered to a third reading.

Mr. Brewer, an act to repeal an act entitled an act to confer upon the intendant of the town of Rockford the powers of a justice of the peace, and for other purposes, which was read once, and ordered to a second reading.

Mr. Groce, an account of W. B. & A. R. Bell, which was referred to the committee on Accounts and Claims.

Mr. Groce, a bill to amend section 9, chapter 10, of the Military Code of Alabam.

Mr. Jemison, a bill to make Tuscaloosa a military rendezvous for certain purposes.

Mr. Stone, a bill to provide for the manufacturing of rifles, pistols, and other arms within the State of Alabama.

All of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Military.

Mr. McIntyre, joint resolutions providing that the legislature at this session fill the vacancy in the representation of Alabama in the Provisional Congress, occasioned by the resignation of Hon. John Gill Shorter, which were read three times under a suspension of the constitutional rule, and

passed. Yeas 15—nays 13. Ordered to be sent forthwith to the House.

Yeas—Messrs. Cato, Clarke, Crump, Hammond, Hardwick, Harrison, Hill, Jemison, Ligon, Lewis, Matthews, McIntyre, Reavis, Rice of Montgomery and Stone.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Coleman, Davis, Groce, Jackson, Moren, Morgan, Rice of Jackson, Toulmin and Walker.

Mr. Reavis, a bill to amend the 18th section of an act to authorize the Governor to take possession of all the salt in store, on shipboard, or held for sale in this State, for the public use, and for other purposes, approved 9th Nov., 1861, which was read three times under a suspension of the constitutional rule, and passed, and ordered to be sent forthwith to the House.

A message was received from the House, announcing the adoption of the following resolution:

Resolved, That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, to examine the offices of comptroller and treasurer. Messrs. Mabry, Walden and Burnett are the committee on the part of the House.

Also, the following:

WHEREAS, Jefferson Davis, President of the Confederate States of America, has by his proclamation appointed Friday, the 15th inst., as a day of humiliation, fasting and prayer, and whereas it is proper that this General Assembly, representing the people of Alabama, do in a suitable manner respect said proclamation, and observe said day, therefore,

Be it resolved by the Senate and House of Representatives, That when the two Houses adjourn on Thursday next they stand adjourned until Saturday, the 16th instant, at 10 o'clock, A. M.

2. *Resolved*, That the Rev. Basil Manly and the Rev. Jas. Shelton of the House be requested to hold divine service in the Representative Hall, in presence of the General Assembly on Friday, the 15th inst., at 11 A. M.

Also, the following resolution:

Resolved, that the Senate be invited into the Hall of the House on to-morrow at 12 o'clock, M., to open and publish in presence of both Houses the vote for Governor of this State.

The House has also amended and passed a bill to amend

an act supplemental to an act to establish a hospital for insane persons in Alabama.

The Senate concurred in the preamble and resolutions of the House proposing that the two Houses when they adjourn on Thursday adjourn to meet on Saturday, at 10 o'clock, A. M., through respect to the proclamation of President Davis, appointing Friday, the 15th inst., as a day of humiliation, fasting and prayer.

The Senate proceeded to consider the resolution of the House in regard to counting and publishing the vote for Governor.

Mr. Calhoun moved to amend by striking out "to-morrow," and inserting "Thursday, the 14th inst.," which was adopted.

Mr. Walker moved to amend by adding as follows: "And also a chancellor for the northern chancery division," which was adopted, and the resolution as amended was concurred in.

The hour of 12 o'clock, M., having arrived, the Senate was invited into the Hall of the House for the purpose of electing a State printer.

The names of Messrs. Reid, Shorter & Barrett, alone being in nomination, and having received 124 votes, it being the whole number cast, Mr. Speaker declared them duly elected State Printer for the period prescribed by law.

The business of the convention being disposed of, the Senate returned to its chamber.

Mr. Calhoun, from the Judiciary committee, to which was referred the bill for the relief of volunteers now in the service of the State, or of the Confederate States, reported that the appropriate committee for this bill to be referred to was the committee on Finance and Taxation. The report was concurred in.

The following favorable reports were made by the Judiciary committee:

By Mr. Clarke, the bills to amend sections 2645 and 2649 of the Code;

To amend section 672 of the Code;

Regulating the issue of executions in cases where one or more of the plaintiffs may be dead, and for other purposes;

To prevent the commission of certain trespasses;

By Mr. Barnes, the bill to abolish a certain rule of the common law;

To allow compensation to executors, administrators and guardians, in certain cases;

By Mr. Walker, the bill for the relief of certain slaves therein named;

By Mr. Rice of Montgomery, the bill to modify an act entitled an act to amend section 2471 of the Code;

By Mr. Davis, bill to authorize administrators, executors and guardians to rent land, and to amend section 1750 of the Code.

By Mr. Calhoun, to the bill to amend section 1576 of the Code;

By Mr. Reavis, to the bill in relation to debts due alien enemies;

All of which were read a third time, and passed.

Mr. Rice of Montgomery, from same committee, to which was referred a petition of certain citizens of Talladega county, reported that the General Assembly had no constitutional power to grant the relief sought by the petitioners, and the Executive of this State has the power after final judgment in such cases, to remit the forfeiture. In support of which opinion, the committee refer to *Haly et al. v. Clarke*, 26 Ala, Rep., 439.

The report was concurred in.

Mr. Groce asked leave to withdraw the petition, which was granted.

On motion of Mr. Toulmin,

Resolved, That the committee on Finance and Taxation be instructed to inquire into the expediency of so amending the present law in relation to the tax on the sales of merchandise as to reduce the same, and render the tax more equitable and just.

By leave, Mr. Walker introduced a bill in relation to coffee; which was read twice, under a suspension of the constitutional rule.

Mr. Calhoun moved to refer the bill to the Judiciary committee, which was lost.

The rule was further dispensed with, and the bill read a third time and passed, and ordered forthwith to the House.

Mr. Cato asked leave of absence for Mr. Wood, which was granted.

The House bill to amend an act supplemental to an act to establish a hospital for insane persons in Alabama, was read twice, under a suspension of the rule, and referred to the committee on the Hospital for the Insane.

Mr. President laid before the Senate a communication

from John Whiting, Commissioner and Trustee; which was referred to the joint select committee of three of the two Houses.

Mr. President appointed Messrs. Jemison; Lewis and Ligon the committee on the part of the Senate.

The Senate then adjourned until 15 minutes past 10 o'clock to-morrow morning.

THURSDAY, November 14, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Heard.

A message was received from the House announcing that the House had passed the Senate bill—

To amend the 18th section of an act to authorize the Governor to take possession of all the salt in store, on ship-board, or held for sale in the State, for the public use, and for other purposes, approved November 9th, 1861.

And has adopted the following resolution :

Resolved, That the report of John Whiting, Commissioner and Trustee of the State Bank and Branches, be referred to a joint select committee to be composed of three members on the part of the House, and such members as may be appointed by the Senate.

Mr. Speaker appointed Messrs. Lyon, Cabaniss and Beners the committee on the part of the House.

Upon the call of the districts the following bills were introduced :

Mr McIntyre, a bill to provide for the establishing of the Alabama Arsenal, which was read twice under a suspension of the constitutional rule, and referred to the committee on the Military.

Mr. Reavis, a bill in relation to practice in the chancery courts.

Mr. Coman, a bill to regulate liens in certain cases.

Mr. Rice of Montgomery, a bill to make the certificates of Registers of land offices evidence in certain cases ;

Which were severally read twice and referred to the committee on the Judiciary.

Mr. Barnes, a bill to grant a portion of the public lands in this State to works of internal improvement, which was read twice under a suspension of the constitutional rule, and referred to the committee on Internal Improvements.

Mr. Crump, a bill to repeal section 2447 of the Code, so far as applies to Barbour and Marshall counties, which was

read three times under a suspension of the constitutional rule, and passed, and ordered to be sent forthwith to the House.

The special order for 11 o'clock was on motion suspended for the purpose of allowing committees to report, it being the resolution offered by Mr. Rice of Montgomery.

The question pending the adoption of the amendment offered by Mr. Clarke,

Mr. Harrison, from the committee on Banks and Banking, reported favorably to the bill to establish a bank in the town of Gainesville, to be called the Planters' Bank of Alabama.

The bill was read a third time, and passed. Yeas 22—nays 4.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Coman, Crump, Davis, Groce, Hammond, Harrison, Hill, Jackson, Jemison, Ligon, Lewis, Matthews, McIntyre, Moren, Reavis, Rice of Montgomery, Stone, Toulmin and Walker.

Nays—Messrs. Calhoun, Clarke, Hardwicke and Moren.

Mr. Harrison also reported a substitute for the bill to authorize certain banks therein named to suspend specie payments.

Pending the consideration of which, the question pending being the adoption of the substitute, Mr. Rice of Montgomery having the floor,

Mr. President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Montgomery, Ala., Nov. 14, 1861. }

Hon. R. M. Patton, President of the Senate—

Sir: I have this day received the resignation of the Hon. John Gill Shorter as a delegate from this State to the Provisional Congress of the Confederate States of America, to take effect on the 15th inst.

I would respectfully suggest that it is for the General Assembly to provide the mode of filling such vacancy.

Very respectfully,

A. B. MOORE.

By leave, Mr. Jemison introduced the following resolutions, which were unanimously adopted:

1. *Resolved*, That the Senate has heard with profound re-

gret of the sudden and untimely death of the Hon. James Campbell Spencer, a member of the House of Representatives from the county of Tuscaloosa, who yesterday participated in the business of the House in apparent health, and was this morning found dead in his bed.

2. *Resolved*, That the sincere condolence of the Senate is humbly tendered to the family and relatives of the deceased in this their sad bereavement.

3. *Resolved*, That as a mark of respect for the memory of our deceased colleague, the members and officers of the Senate wear the usual badge of mourning for thirty days, and that the Senate do now adjourn to meet on Saturday next, at 10 o'clock, A. M.

4. *Resolved*, That the President of the Senate be requested to transmit a copy of these resolutions to the widow of the deceased.

5. *Resolved*, That a committee of one Senator be appointed by the President to act with a like committee of the House to accompany the remains of the deceased to the city of Tuscaloosa.

6. *Resolved*, That the Senators will join with the House in procession and escort the remains of the deceased from the Exchange Hotel to the steamer at half past three o'clock this afternoon.

Mr. President appointed Mr. Hill on the part of the Senate, under resolution 5.

Mr. President declared the Senate adjourned until 10 o'clock Saturday morning.

SATURDAY, November 16, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Heard.

By leave, Mr. Brewer offered the following resolution :

Resolved, the House concurring, that the two Houses meet in joint convention at the hour of 12 M. to-day, for the purpose of counting the votes for Governor of the State of Alabama, and for electing a Chancellor for the Northern Chancery Division, which was adopted.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled :

An act to amend the 18th section of an act to authorize the Governor to take possession of all the salt in store, on shipboard, or held for sale in this State, for the public use, and for other purposes, approved Nov. 9, 1861.

Upon the call of the districts, the following bills were introduced:

By Mr. Toulmin, a bill to repeal an act entitled an act for the relief of John Stewart and Rose Stewart, approved Feb. 14th, 1860;

Mr. Calhoun, a bill granting right of way, earth, stone, timber and lands to the Selma and Gulf Railroad Company; which was read twice under a suspension of the constitutional rule, and referred to the committee on Internal Improvement.

Mr. Reavis, a bill to amend the law in relation to public roads;

Mr. Stone, a bill to regulate the compensation of guardians; and

A bill requiring the Secretary of State to procure for the State Library the acts of the Legislatures of the several Confederate States;

Which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Clarke, a bill for the relief of Oliver H. Prince, as executor of the last will and testament of Edmund Prince, deceased;

Mr. Barnes, a bill authorizing the transfer of the estate of Margaret Barnes, deceased, from Tallapoosa to Chambers county, in this State;

Both of which were severally read three times under a suspension of the constitutional rule, and passed.

On motion of Mr. Jemison, leave of absence was granted to Mr. Heflin.

On motion of Mr. Rice of Montgomery, leave of absence was granted to Mr. Groce.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
November 16th, 1861. }

Mr. President:

The House of Representatives has originated and passed the following bills:

To amend an act to encourage the manufacture of salt in Alabama;

For the relief of John P. Howard, jailor of Butler county;

To change the jurisdiction of the trust estate of Francis Durden.

The House concurs in the resolution of the Senate proposing that the two houses meet in convention this day at 12 o'clock, M., for the purpose of counting the vote for Governor of this State, and refuses to adopt so much as relates to the election of a chancellor for the Northern Chancery Division.

The Senate concurred in the amendment of the House.

The Senate proceeded to the consideration of the report of Mr. Harrison, which was under consideration at the adjournment on Thursday, on the bill, to wit:

To authorize certain banks therein named to suspend specie payments; the question pending being the adoption of the substitute reported by the committee.

The substitute was adopted, the bill read a third time and passed.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of counting the vote for Governor.

From the returns submitted, it appeared that the following vote was cast at the election on the 1st Monday in August, 1861, from the counties and for the persons as follows, to wit:

Counties.	J. G. Shorter.	T. H. Watts.	Scattering.
Autauga	129	924	
Baldwin	73	192	8
Barbour	1,524	373	3
Bibb	535	656	3
Blount	948	304	
Butler	369	1,311	
Calhoun	2,098	98	
Chambers	502	1,290	
Cherokee	1,500	21	
Choctaw	418	557	35
Clarke	693	448	
Coffee	778	81	
Conecuh	194	661	
Coosa	936	825	
Covington	309	365	
Dale	1,255	51	
Dallas	150	1,115	
DeKalb	809	19	29

Counties.	J. G. Shorter.	T. H. Watts.	Scattering.
Fayette	1,032	134	31
Franklin	1,717		
Greene	641	452	
Henry	1,552	49	3
Jackson	1,454	152	
Jefferson	983	141	7
Lauderdale	462	95	
Lawrence			
Limestone	145	795	
Lowndes	279	909	
Madison	1,985	37	9
Macon	388	1,391	
Marengo	209	728	11
Marion	770		
Marshall	1,363	23	3
Mobile	464	1,736	
Monroe	215	748	
Montgomery	434	1,843	
Morgan	147	836	
Perry	374	984	
Pickens	1,416	189	
Pike	1,380	893	
Randolph	1,318	95	27
Russell	636	725	3
Shelby	228	1,206	
St. Clair	1,103	79	
Sumter	546	379	
Talladega	461	1,223	
Tallapoosa	600	1,745	
Tuscaloosa	1,274	496	
Walker	936	1	
Washington	117	86	1
Wilcox	302	656	
Winston	71		16
Total	37,849	28,121	189

Hon. John Gill Shorter having received thirty-seven thousand eight hundred and forty-nine votes, (37,849) and that being the highest number given, Mr. Speaker declared him duly elected Governor of the State of Alabama for the term prescribed by the constitution.

The business of the convention being concluded, the Senate returned to its chamber.

Mr. President laid before the Senate a communication from the Governor, submitting the report of the trustees of the State University at Tuscaloosa;

Which was referred to the committee on Education.

Mr. Harrison, from the committee on Banks and Banking, reported a substitute for the bill to amend an act entitled an act to incorporate the Bank of Alabama, and for other purposes, approved Feb. 13, 1860.

The substitute was adopted, and the bill read a third time and lost. Yeas 13, nays 13.

Yeas—Messrs. Barnes, Brewer, Crump, Davis, Hammond, Harrison, Jackson, Lewis, Matthews, Morgan, McIntyre, Reavis and Rice of Montgomery—13.

Nays—Messrs. President, Calhoun, Cato, Clarke, Coleman, Coman, Hardwick, Jemison, Moren, Rice of Jackson, Stone, Toulmin and Walker—13.

The Senate then adjourned until 15 minutes past 10 o'clock Monday morning.

MONDAY, November 18, 1861

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Heard.

The President being absent on account of sickness, on motion of Mr. Calhoun, Mr. Walker was appointed President *pro tem*.

Mr. Cato moved to reconsider the vote rejecting the bill to amend an act entitled an act to incorporate the Bank of Alabama, and for other purposes, approved Feb. 13, 1860. The motion was carried.

On motion of Mr. Rice of Montgomery, the vote ordering the bill to a third reading and dispensing with the constitutional rule, were reconsidered, and the question pending being on the adoption of the report of the committee, the consideration of which was suspended for the call of the districts.

By leave, Mr. Reavis offered the following resolution:

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of amending the military code, in all or any of the particulars specified in the documents accompanying this resolution, and report on the subject by bill or otherwise. Adopted.

Upon the call of the districts the following bills were introduced:

By Mr. Stone, a bill to authorize certain settlements in the probate court of Pickens county;

Mr. Jemison, a bill to enlarge the jurisdiction of the probate court of Tuscaloosa county in the settlement of the estate of William M. Marr and Nancy J. Marr, deceased;

Mr. Cato, a bill for the relief of William Johnson, tax collector of Barbour county;

Also, a bill to amend section 2632 of the Code of Alabama, which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Hardwick, a bill to exempt from military and road duty certain persons therein named, which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Rice of Jackson, a petition, which was referred to the committee on the Judiciary.

Mr. President *pro tem.* laid before the Senate the report of the Auditor of the Treasury.

On motion of Mr. Harrison, the report was laid on the table, and 150 copies ordered printed.

The Senate proceeded to the consideration of the report of the committee on the bill to amend an act entitled an act to incorporate the Bank of Alabama, and for other purposes, approved February 13, 1860. The question pending being the adoption of the substitute reported by the committee,

On motion of Mr. Rice of Montgomery, the substitute was laid on the table.

Mr. Rice of Montgomery moved to amend by way of substitute, which was adopted, and the bill read a third time and passed. The caption was amended so as to read, "An act in relation to the Bank of Alabama."

Mr. Jemison, from the committee on Finance and Taxation, to whom was referred the resolution instructing them to inquire into the expediency of so amending the law in relation to the tax on the sales of merchandise as to reduce the same and render the tax more equitable, reported that it was inexpedient to legislate on the subject. The report was concurred in.

Mr. Jemison, from the same committee, reported favorably to the bill for the relief of volunteers now in the service of the State, or the Confederate States. The bill was read a third time and passed.

Mr. Calhoun, from the Judiciary committee, reported adversely to the bill to regulate liens in certain cases; which was concurred in.

Mr. Clarke, from the same committee, reported adversely to the petition for the relief of the physicians of this State. The report was concurred in.

Also, favorably to the bill to incorporate the Steamboat Captains and Owners' Union and Benevolent Association of Mobile.

The consideration of the report was postponed and made the special order for the hour of 11 o'clock.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing that the Governor had approved the following Senate bill:

To amend the 10th section of an act to authorize the Governor to take possession of all the salt in store, on shipboard or held for sale in this State, for the public use, and for other purposes, approved November 9th, 1861.

Mr. Barnes, from the same committee, reported favorably to the bill making the failure to observe the provisions of section 1110 of the Code a misdemeanor. The bill was read a third time and passed.

Also, to whom the petition of citizens of Chambers county respecting speculation and monopolies was referred, reported that as the subject had been acted upon at the called session of the General Assembly just closed, that no further legislation on the grievances complained of was demanded. The report was concurred in.

Mr. Davis, from the same committee, reported adversely to the bill to amend section 3600 of the Code. The report was concurred in.

Mr. Stone, from the same committee, reported favorably to the bill to define the commissions on sales of registers in chancery. The bill was read a third time and passed.

Mr. Toulmin, from the Military committee, reported adversely to the bill to repeal an ordinance adopted January 19th, 1861, as a bill to the same effect had passed. The report was concurred in.

Also, favorably to the bill to amend section 9, chapter 10 of the Military Code of Alabama. The bill was ordered to a third reading.

Also, favorably to the bill to make Tuscaloosa a military rendezvous for certain purposes, with the following amendments:

1st. Insert the word "thirty" in the last line of the first section. 2d. Insert the word "thirty" in the 19th line of

the third section. A division being called for, the question was first taken on the first amendment, which was adopted.

Mr. Jemison moved to amend the second amendment by striking out "thirty" and inserting "sixty," which was adopted, and the amendment as amended was adopted, and the bill read a third time and passed. Yeas 21, Nays 1.

Yeas—Messrs. Barnes, Calhoun, Cato, Clarke, Coman, Crump, Davis, Hammond, Hardwick, Harrison, Jackson, Jemison, Lewis, Matthews, Moren, Reavis, Rice of Jackson, Rice of Montgomery, Stone, Toulmin and Walker—21.

Nays—Mr. Brewer—1.

Mr. Reavis, from the same committee, reported adversely to the bill to amend section 2312 of the Code. The report was concurred in.

Mr. Walker, from the same committee, reported a substitute for the bill to make transcripts from land offices evidence in certain cases. The substitute was adopted, and the bill read a third time and passed.

On motion of Mr. Rice of Montgomery, the caption was amended by striking out the words "certificates of registers," and inserting "transcripts," so that the caption may read, "An act to make transcripts from land offices evidence in certain cases."

By leave, Mr. Clarke introduced the following resolution, which was adopted:

Resolved, with the concurrence of the House of Representatives, that the committee on Military Affairs of the two Houses be and are hereby authorized to hold joint sessions.

On motion of Mr. Harrison, the following resolution was adopted:

Resolved, That the committee on Education be instructed to inquire into the expediency of introducing a bill to repeal the present public school law so as to dispense with the appointment of general superintendent and county superintendent, and place the 16th section funds under the management of the respective counties.

On motion of Mr. Rice of Montgomery, Mr. McIntyre was added to the committee on Military Affairs.

The Senate proceeded to the consideration of the general orders.

The bill to prevent the sale of spirituous liquors within one mile of Mulberry Academy, in Bibb county, was read a third time and passed.

The bill to repeal an act for the relief of the children of John Stewart and Rose Stewart, approved February 14th,

1860, was read a second time and referred to the Judiciary committee.

The bill to repeal an act to confer upon the intendant of the town of Rockford the powers of a justice of the peace, and for other purposes, was read a second and third times, under a suspension of the constitutional rule, and passed.

The House bills—

To amend an act to encourage the manufacture of salt in the State of Alabama;

To change the jurisdiction of the trust estate of Francis Durden;

Were severally read three times under a suspension of the constitutional rule, and passed.

The House bill for the relief of John P. Howard, jailor of Butler county, was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

By leave, Mr. McIntyre offered the following resolution:

Resolved, the House concurring, that the two Houses of the General Assembly meet in the hall of the House on Thursday, the 21st inst., at 12 o'clock M., and proceed to the election of two Senators from the State of Alabama, to represent her in the Congress of the Confederate States for the first term under the permanent constitution thereof, which was adopted.

The resolution of Mr. Rice of Montgomery, with Mr. Clarke's amendment, were made the special order for 11 o'clock to-morrow.

By leave, Mr. Rice of Jackson offered the following preamble and resolutions, which were unanimously adopted:

WHEREAS, death has again invaded our legislative circle, and removed our Senator, associate and friend, Gen. Robert W. Higgins, to that bourne from whence no traveler returns.

He was richly endowed by nature and cultivation for the responsible positions which he so often occupied by the preferences of the citizens of his own mountain district. When the tide of despotism threatened to subvert our institutions he energetically exercised his talent and influence to sustain the honor, dignity and sovereignty of his native State, and when the despots of the North invaded the sacred soil of the Confederate States he marshaled a company of comrades to his side, and repaired to the field of strife, determined never to surrender the constitutional liberties of the South.

Only a few months elapsed before he was assailed by dis-

ease, which resulted in his untimely death on the 12th inst., at the residence of his brother-in-law, Hon. W. R. Larkin, of Jackson county.

His devotion to his country's cause, his stability of character, his elegant manners and uniform consistency shed a lustre upon his memory that can never perish so long as a high regard is entertained for the statesman and patriot. Therefore,

Resolved, That in the death of Gen. Robert W. Higgins we have lost an able counselor, a faithful friend and patriot.

Resolved, That we tender our sincere sympathy to the relations and friends of the deceased.

Resolved, That we will wear the usual badge of mourning for thirty days.

Resolved, That this preamble and resolutions be spread upon the journal, and a copy be forwarded to the relatives of the deceased, through a committee of three, to be appointed by the President of the Senate, and that the city papers be requested to publish the same.

Under the last resolution the President appointed Messrs. Rice, Hardwicke and Walker the committee.

The Senate then adjourned until to-morrow morning 15 minutes past 10 o'clock.

TUESDAY, November 19th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Heard.

Mr. Jewett, Senator elect from the district composed of the counties of Baldwin, Monroe and Clarke, appeared within the bar of the Senate, was qualified, and took his seat.

Upon the call of the districts, the following bills were introduced:

Mr. Davis, a bill in relation to certain debts due township 5, range 22, in Coffee county, was read twice under a suspension of the constitutional rule, and referred to the committee on 16th Sections.

Also, a bill to exempt militia officers from uniforming, which was read twice under a suspension of the constitutional rule, and referred to the committee on the Military.

Mr. McIntyre, a bill to incorporate — College.

Mr. Reavis, a bill to amend sections 1029, 1030 and 1032 of the Code.

Also, a bill to modify an act entitled an act to authorize the Governor to seize all the salt in store, on shipboard, or

held for sale in the State, and for other purposes, approved Nov. 9th, 1861.

Also, a bill to regulate the fees of jailors.

Mr. Jemison, a bill to authorize Dennis Springer to construct a turnpike through the valley of and build a bridge across Sipsie river.

All of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Message from the House by Mr. Eason.

Mr. President :

The House of Representatives concurs in the resolution of the Senate, that on Thursday next, at 12 o'clock, M., the two Houses will proceed to elect two Senators to the Congress of the Confederate States, to represent the State of Alabama under the permanent constitution thereof.

Mr. Barnes, a bill for the relief of Jesse B. and Mary Ann Todd, of Chambers county.

Mr. Clarke, a bill to amend section 1750 of the Code;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Groce presented an account, which was referred to the committee on Accounts and Claims.

The Senate proceeded to the consideration of the special orders; the first in order being the bill

To incorporate the Steamboat Captains' and Owners' Union and Benevolent Association of Mobile, which was referred to the committee on the Judiciary.

The next special order being the resolution offered by Mr. Rice of Montgomery, with Mr. Brewer's and Mr. Clarke's amendment, which was postponed and made the special order for to-morrow 12 o'clock.

Mr. Rice, from the committee on the Judiciary, reported favorably to the bill to amend the law in relation to public roads.

The bill was read a third time, and passed.

Mr. Morgan, from the committee on Accounts and Claims, to whom was referred the account of W. B. & A. R. Bell, reported a bill to be entitled an act for the relief of W. B. & A. R. Bell & Co.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Lyon, from the committee on the Judiciary, reported favorably to the bill to require the Secretary of State to procure for the State Library the acts of the legislatures of the several legislatures of the Confederate States.

The bill was read a third time, and passed.

Mr. Mason, from the committee on Insane Hospitals, reported favorably to the bill to amend an act entitled an act supplemental to an act to establish a hospital for insane persons in Alabama.

The bill was read a third time, and passed.

The bill to amend section 9, chapter 10, of the Military Code of Alabama, was read a third time, and passed.

Mr. Barnes offered the following resolution:

Resolved, the House concurring, that the joint resolution by which the two Houses agreed to meet in the hall of the House at 12 m., on Thursday, the 21st inst., for the purpose of electing two Senators to the first Confederate Congress of the Confederate States of America be and the same is hereby rescinded.

On motion of Mr. Stone, the resolution was laid on the table. Yeas 17—nays 12.

Yeas—Messrs. Brewer, Calhoun, Cato, Clarke, Crump, Hardwicke, Harrison, Jackson, Jewett, Matthews, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin, Walker and Wood.

Nays—Messrs. President, Barnes, Coman, Davis, Groce, Hammond, Jemison, Ligon, Lewis, Moren, Morgan and Rice of Montgomery.

The Senate then adjourned until 15 minutes past 10 o'clock to-morrow morning.

WEDNESDAY, November 20, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Heard.

Mr. President appointed Mr. Jewett upon the following committees: The Judiciary, Public Lands, 16th Sections, and Education.

Upon the call of the districts, the following bills were introduced:

Mr. Davis offered a petition, which was referred to the committee on the Judiciary.

Mr. Wood presented the petition of James Shelton of Henry county, which was referred to the committee on Accounts and Claims.

Mr. Lewis, a bill to repeal an act entitled an act to change

the manner of appointing apportioners and overseers of roads in the county of Russell, approved January 18, 1858; which was read three times under a suspension of the constitutional rule, and passed.

Mr. Ligon, a bill for the relief of the commissioners' court for the county of Macon; which was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation:

Mr. Reavis, a bill to change the time of taking up the State dockets; also, to amend section 2033 of the Code;

Mr. Clarke, a bill to enlarge the jurisdiction of the probate courts of this State;

Mr. Calhoun, a bill in relation to tax assessors and tax collectors;

All of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Walker, a bill for the relief of Feilding Snow, jailor of Calhoun county, accompanied with an account. The bill was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

Mr. Stone presented an account, which was referred to the committee on Accounts and Claims.

Mr. Jackson, a bill to repeal section 3 of an ordinance to authorize colonels of volunteer regiments to appoint their own staff officers;

Mr. McIntyre, a bill granting to the State of Mississippi the use of the ship yards, docks, &c. of this State, for certain purposes;

Both of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

Mr. Clarke, a bill to incorporate the Mobile and Pensacola Rail Road Company; which was read twice under a suspension of the constitutional rule, and referred to the committee on Internal Improvements.

Mr. Jemison, a bill in relation to the war tax authorized by Congress, to be assessed and levied on certain property in this State; which was read twice under a suspension of the constitutional rule, and made the special order for tomorrow 12 o'clock.

Also, a bill to reduce the salaries pay and perquisites of office of the several civil officers of this State, during the continuance of the existing war; which was read first time, and ordered to a second reading.

Mr. Calhoun, from the same Committee, reported favorably to the bill to repeal an act for the relief of the children of John Stewart and Rose Stewart, approved February 14, 1860. The bill was read a third time and passed.

Mr. Rice of Montgomery, from the same committee, to whom was referred the petition of Daniel M. Martin and other citizens of Jackson county, praying first for the passage of an act to prevent John H. Norwood, the judge of probate of said county, from losing his office by his absence as a captain of volunteers engaged for twelve months in the service of the Confederate States; and secondly, for the passage of an act authorizing William H. Norwood, the deputy or clerk of said judge, to perform all the duties of the judge of probate of said county during such absence of said John H. Norwood,

Reported, first, that such absence of said judge does not vacate his office; and, secondly, that the General Assembly has no power under the constitution of this State to authorize the deputy or clerk of a probate judge to perform the judicial duties, or exercise the judicial functions of such a judge, and that therefore no such act as prayed for by the petition, ought to be passed by the General Assembly. The report was concurred in.

Mr. Cato, from the Judiciary committee, reported a substitute for the bill for the relief of William Johnson, tax collector of Barbour county.

Mr. Moren moved to amend as follows: Section 3. Be it further enacted, that Burrell Johnson, tax collector of Perry county be, and he is hereby entitled to the benefit of all the provisions of this act, on the compliance by him and his sureties on his official bond with the terms and conditions expressed in the first section of this act. The amendment was adopted.

Mr. President moved a similar amendment as to Thomas Philips, tax collector of Lauderdale county; which was adopted.

Mr. Walker moved a similar amendment as to James Maherg, tax collector of Calhoun county; which was adopted.

The substitute as amended was adopted, and the bill read a third time and passed. The caption was amended so as to read, "A bill for the relief of William Johnson and other tax collectors."

Mr. Jewett, from the same committee, reported adversely to the bill to amend section 2634 of the Code. The report was concurred in.

Mr. Barnes, from the same committee, reported favorably to the bill to modify an act entitled an act to authorize the Governor to take possession of all the salt in store, on ship-board, or held for sale in this State for public use, and for other purposes, approved November 9, 1861. The bill was read a third time and passed.

The caption was amended by striking out the words "to modify," and inserting the words, "declaratory of the meaning of."

By leave, Mr. Rice of Montgomery introduced a bill for the relief of the Soldiers' Home, and for other purposes; which was read twice and referred to the committee on the Military.

Mr. Walker, from the committee on Internal Improvement, to which was referred the bill granting the right of way, earth, stone and timber to the Selma and Gulf Rail Road Company, and the bill to grant a portion of the public land in this State to works of internal improvement, reported a substitute for the bills with the following title: To grant the right of way, lands, stone, earth and timber to rail roads in this State. The substitute was adopted.

Mr. McIntyre moved to recommit the bill to the same committee with instructions to report an amendment by which all the timber on public lands so granted, suitable for ship building, shall be reserved to the State. The motion was lost.

Mr. McIntyre moved to postpone the further consideration of the bill, and make it the special order for to-morrow 11 o'clock; which motion was lost. Yeas 15, Nays 17.

Yeas—Messrs. Barnes, Cato, Clarke, Coleman, Hardwicke, Harrison, Hefflin, Jackson, Jewett, Matthews, Morgan, McIntyre, Reavis, Rice of Jackson, and Wood—15.

Nays—Messrs. President, Brewer, Calhoun, Coman, Crump, Davis, Groce, Hammond, Hill, Jemison, Ligon, Lewis, Moren, Rice of Montgomery, Stone, Toulmin and Walker—17.

Mr. Cato moved to refer the bill to a select committee of five; which was lost.

Mr. Barnes moved to amend the bill as follows: Strike out of the last section the following: "Said road must have twenty-five miles finished in a good and substantial manner and in running operation," and insert the following words: "Must have at least fifteen miles graded;" and strike out in said section the words, "finished and equipped, and in running operation," and insert the word "graded." The motion was lost. Yeas 15, Nays 17.

Yeas—Messrs. President, Barnes, Coleman, Groce, Harrison, Heflin, Hill, Jewett, Ligon, Matthews, Morgan, McIntyre, Reavis, Rice of Montgomery, and Wood—15.

Nays—Messrs. Brewer, Calhoun, Cato, Clarke, Coman, Crump, Davis, Hammond, Hardwicke, Jackson, Jemison, Lewis, Moren, Rice of Jackson, Stone, Toulmin and Walker—17.

Mr. Reavis moved to amend as follows: Strike out the words "twenty-five," in the 5th line of the 5th section, and insert "fifteen," which was adopted.

Mr. Jemison moved to amend by striking out the words "then finished," in the 18th line from the bottom of the 5th section, which was adopted.

On motion of Mr. Barnes, the further consideration of the bill was postponed until to-morrow 11 o'clock, and made the special order for that hour.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES, }
November 20, 1861. }

Mr. President:

The House has originated and passed the following bills:

To extend the time of making the returns required by chapter 5 of the military code of Alabama;

To repeal all laws or parts of laws contravening section 776 of the code, so far as the county of Franklin is concerned;

For the relief of James R. Norris;

For the relief of Marion Lyles of Randolph county;

To divide Butler county into four commissioners' districts;

For the relief of Isaac J. Adams, jailor of Coosa county;

For the relief of A. L. Montgomery of Lawrence county;

For the relief of A. G. Mabry.

The House has also amended the joint resolutions of the Senate in relation to the election of a successor in the provisional congress to fill the vacancy occasioned by the resignation of the Hon. John Gill Shorter, by striking out "Thursday 21st inst." and inserting "Saturday 23d inst."

The Senate concurred in the amendment of the House to the above joint resolutions.

The House bills—

To extend the time of making the returns required by chapter 5 of the military code of Alabama, was read twice

under a suspension of the constitutional rule, and referred to the committee on the Military.

To divide the county of Butler into four commissioners' districts, was read a first time and ordered to a second reading.

For the relief of Isaac J. Adams, jailor of Coosa county, was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

To repeal all laws or parts of laws contravening section 776 of the Code, so far as the county of Franklin is concerned ;

For the relief of James R. Norris ;

For the relief of Marion Lyles of Randolph county ;

For the relief of A. L. Montgomery of Lawrence county ;

For the relief of A. G. Mabry ;

Were severally read three times under a suspension of the constitutional rule, and passed.

The Senate then adjourned until to-morrow morning, 15 minutes past 10 o'clock.

THURSDAY, November 21st, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Petrie.

Mr. Cato moved to reconsider the vote rejecting the amendment offered by Mr. Barnes to the bill to grant the right of way, lands, stone, earth and timber to railroads in this State, which was carried.

Upon the call of the districts, the following bills were introduced—

Mr. Rice of Montgomery, a bill in relation to the estate of Catharine Cockburn, which was read three times under a suspension of the constitutional rule, and passed.

Also, a bill for the benefit of the Soldiers' Home in the city of Montgomery, which was read twice under a suspension of the constitutional rule, and referred to a select committee of five, as follows : Messrs. Cato, Calhoun, Rice of Montgomery, Reavis and Jemison.

Mr. Reavis, a bill for the relief of W. P. Sprinks, late tax collector of Choctaw county, which was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

Mr. Stone, a bill to require the registers and receivers of public lands in this State, to receive in payment for lands entered the current notes of the banks of this State, the

treasury notes of the government of the Confederate States and of this State;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Public Lands.

Mr. Hardwicke offered the following resolution:

Resolved, That the committee on Public Lands be instructed to inquire into the expediency of reducing the price of the public lands in this State, more especially in the Coosa land district; also, the propriety of making Alabama bank notes receivable for lands at the different land offices in this State, and report by bill or otherwise.

The resolution was adopted.

Mr. Rice of Montgomery presented a communication from the Hon. Benj. F. Porter, which was referred to the Judiciary committee.

Mr. Brewer, from the committee on Enrolled Bills, reported as correctly enrolled—

The joint resolutions providing that the Legislature at this session fill the vacancy in the representation of Alabama in the provisional congress, occasioned by the resignation of the Hon. John Gill Shorter.

Mr. Lewis, from the Judiciary committee, reported adversely to the bill to relieve volunteers from penalties in certain cases.

On motion of Mr. Clarke, the further consideration of the report and bill was postponed and made the special order for to-morrow 11 o'clock.

The hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the bill to grant the right of way, lands, stone, earth and timber to railroads in this State.

The question pending being Mr. Barnes' amendment,

Mr. Barnes moved to amend his amendment by striking out the words "twenty-five" and inserting "fifteen," which was adopted.

Mr. Barnes' amendment as amended was adopted. Yeas 17, nays 14.

Yeas—Messrs. President, Barnes, Cato, Coleman, Davis, Groce, Harrison, Heflin, Hill, Jewett, Ligon, Lewis, Matthews, Morgan, McIntyre, Reavis and Rice of Montgomery—17.

Nays—Messrs. Brewer, Calhoun, Coman, Crump, Hammond, Hardwicke, Jackson, Jemison, Moren, Rice of Jackson, Stone, Toulmin and Walker—14.

Mr. McIntyre moved to amend by additional sections, as sections 6 and 7.

Mr. Walker moved to amend the amendment by striking out all but the first three lines of section 6;

When Mr. Jemison moved to suspend the further consideration of the question to allow him to introduce a bill. Carried.

Mr. Jemison introduced a bill to raise an additional volunteer force for the defense of the State and to resist invasion;

Which was read three times under a suspension of the constitutional rule and passed, and ordered to be sent forthwith to the House.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of electing two Confederate States Senators.

The Senate repaired to the hall of the House, where the two houses in convention proceeded to the election of two Senators to represent the State of Alabama in the senatorial branch of the first Congress of the Confederate States under the permanent Constitution thereof.

Mr. Calhoun placed in nomination the name of Hon. William L. Yancey as one of the Senators.

Mr. Yancey alone being in nomination and having received one hundred and twenty votes, it being a majority of all the votes given, Mr. Speaker declared him duly elected a Senator from this State to the first Confederate States Congress for the term prescribed by the Constitution.

Mr. McClelland of Limestone and Mr. Sheets voted for Mr. Smith of Mobile.

The convention proceeded to the election of another Senator.

Mr. Stone placed in nomination the name of Hon. Clement C. Clay of Madison.

Mr. Groce, the name of Hon. Thos. H. Watts of Montgomery.

Mr. Toulmin, the name of Hon. Robert H. Smith of Mobile.

Mr. Cabaniss, the name of Hon. Richard W. Walker of Lauderdale.

Upon the first ballot, those who voted for Mr. Clay, are—

Messrs: Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone and Wood, of the Senate.

Messrs. Aikin, Alldredge, Boyles, Brindley, Brooks, Cobb, Cotnam, Davis, Denman, Ellis, Foreman, Griffin,

Hearin of Clarke, Herron of Barbour, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Orr, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Snodgrass, Stanel, Starke, Thompson of Choctaw, Ussery, Walthall and Williams—54.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate.

Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Burnett, Calhoun, Carter, Creech, Crumpler, Foster, Gullett, Holly, Horn, Johnson, Judkins, Lawler, Lee, Liddell, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Park, Penn, Pickett, Pratt, Rives, Smith, Thompson of Macon, Walden, West and Wilkerson—48.

Those who voted for Mr. Smith, are—

Messrs. Jemison and Toulmin, of the Senate; and

Messrs. Benners, Coleman, Langdon, Riley, Sykes and Slade, of the House—8.

Those who voted for Mr. Richard W. Walker, are—

Messrs. President, of the Senate; and

Messrs. Butler, Cabaniss, Hughes, Latham, Logan, Malone, Posey, Sheets, Tally and Witherspoon, of the House—12.

Mr. Walker, of the Senate, voted for Hon. J. L. M. Curry.

Mr. Hammond, of the Senate, voted for Hon. L. P. Walker.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a second time.

Second ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Walker and Wood, of the Senate; and

Messrs. Aikin, Alldredge, Boyles, Brindley, Cobb, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin, Herron, Little of Cherokee, Little of Sumter, Logan, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Snodgrass, Stansel, Starke, Thompson of Choctaw, Ussery, Walthall and Williams, of the House—55.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Davis, Groce; Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate; and

Messrs. Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Carter, Crumpler, Foster, Gullett, Holly, Horn, Johnson, Judkins, Lawler, Lee, Liddell, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Riley, Rives, Sheets, Sykes, Smith, Thompson of Macon, Walden, West and Wilkerson, of the House—52.

Those who voted for Mr. Smith, are—

Messrs. Jemison and Toulmin, of the Senate; and

Messrs. Benners, Coleman, Langdon and Slade, of the House—6.

Those who voted for Mr. Walker, are—

Messrs. President, Coman and Hammond, of the Senate; and

Messrs. Butler, Cabaniss, Hughes, Latham, Malone, Posey, Tally and Witherspoon, of the House—11.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a third time.

Third ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Walker and Wood, of the Senate; and

Messrs. Aikin, Alldredge, Boyles, Brindley, Cobb, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke, Herron of Barbour, Latham, Little of Cherokee, Little of Sumter, Logan, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Snodgrass, Stansel, Starke, Tally, Thompson, of Choctaw, Ussery, Walthall and Williams, of the House—57.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate; and

Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Carter, Crumpler, Foster, Gullett, Holly, Horn, Johnson, Judkins, Langdon, Lawler, Lee, Liddell, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Riley, Rives, Sheets, Sykes, Smith, Thompson of Macon, Walden, West and Wilkerson, of the House—58.

Those who voted for Mr. Smith, are—

Messrs. Jemison and Toulmin, of the Senate; and

Messrs. Benners, Coleman and Slade, of the House—5.

Those who voted for Mr. Walker, are—

Messrs. President, Coman and Hammond, of the Senate;
and

Messrs. Butler, Cabaniss, Hughes, Malone, Posey and Witherspoon, of the House—9.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a fourth time.

Fourth ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, Reavis, Rice of Jackson, Stone, Walker and Wood, of the Senate; and

Messrs. Aikin, Alldredge, Benners, Boyles, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke, Herron, of Barbour, Latham, Lee, Little of Cherokee, Little of Sumter, Logan, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Snodgrass, Stansel, Starke, Tally, Thompson of Choctaw, Ussery, Walthall and Williams, of the House—59.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan, McIntyre and Rice of Montgomery, of the Senate; and

Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Carter, Crumpler, Foster, Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Liddell, Malone, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Riley, Rives, Sheets, Sykes, Smith, Thompson of Macon, Walden, West and Wilkerson, of the House—55.

Those who voted for Mr. Smith, are—

Messrs. Jemison and Toulmin, of the Senate; and

Mr. Slade, of the House—3.

Those who voted for Mr. Walker, are—

Messrs. President, Coman and Hammond, of the Senate;
and

Messrs. Butler, Cabaniss, Posey and Witherspoon of the House—7.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a

fifth time, the names of Robert H. Smith and Richard W. Walker being withdrawn.

Fifth ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin; Walker and Wood, of the Senate; and

Messrs. Aikin, Alldredge, Benners, Boyles, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke, Herron of Barbour, Latham, Lee, Little of Cherokee, Little of Sumter, Logan, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Riley, Shelton, Snodgrass, Stansel, Starke, Tally, Thompson of Choctaw, Ussery, Walthall and Williams, of the House—62.

Those who voted for Mr. Watts are:

Messrs. President, Barnes, Brewer, Coman, Davis, Groce, Hammond, Harrison, Heflin, Jemison, Lyon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate, and Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Carter, Crumpler, Foster, Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Liddell, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Posey, Pratt, Rives, Sheets, Sykes, Slade, Smith, Thompson of Macon, Walden, West, Wilkerson and Witherspoon of the House—59.

Messrs. Butler, Cabaniss and Malone of the House voted for Robert Jemison.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a sixth time.

Mr. Walker placed in nomination the name of Hon. J. L. M. Curry of Talladega. Mr. Cabaniss the name of George P. Bierne of Madison.

Sixth ballot. Those who voted for Mr. Clay are:

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin and Wood of the Senate, and Messrs. Alldredge, Benners, Boyles, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin, Herron, Latham, Lee, Little of Cherokee, Little of Sumter, Logan, Lynch, Lyon, Mabry, Martin of Calhoun, Miller, McCall, Neal, Nelson, Parker, Parish, Rainer, Reynolds, Shelton, Snodgrass, Stansel, Starke, Tally, Thompson

of Choctaw, Ussery, Walthall and Williams of the House—57.

Those who voted for Mr. Watts are:

Messrs. President, Barnes, Coman, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery of the Senate, and Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Crumpler, Foster, Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Liddell, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Rives, Sheets, Slade, Smith, Thompson of Macon, West, Wilkerson and Witherspoon of the House—51.

Those who voted for Mr. Curry are:

Messrs. Brewer, Jemison and Walker of the Senate, and Messrs. Aikin, Carter, Lawler, Malone, Martin of Jefferson, McClelen of Calhoun, Riley, Sykes and Walden of the House—12.

Those who voted for Mr. Bierne are:

Mr. Hammond, of the Senate, and Messrs. Butler, Cabaniss and Posey of the House—4.

After which, Mr. Pickett moved to adjourn until to-morrow 11 o'clock.

Mr. Jemison, until Saturday 12 o'clock.

Mr. Mabry, until Monday 12 o'clock.

The question was put on Mr. Mabry's motion, and lost.

Mr. Jemison moved Monday 11 o'clock, which was lost. Yeas 23—nays 94.

Yeas—Messrs. Clarke, Groce, Hill, Jemison, Ligon, Lewis, Moren, Morgan and Rice of Montgomery of the Senate, and Messrs. Aikin, Ashley, Judkins, Langdon, Logan, Malone, Mason, Miree, McClelland of Limestone, Posey, Shelton, Slade, Thompson of Macon and Witherspoon of the House—23.

Nays—Messrs. President, Barnes, Brewer, Cato, Coleman, Coman, Crump, Davis, Hammond, Hardwicke, Harrison, Heflin, Jackson, Jewett, Matthews, Reavis, Rice of Jackson, Stone, Toulmin, Walker and Wood of the Senate, and Messrs. Speaker, Alldredge, Arrington, Bass, Berry, Boyles, Bozeman, Brasher, Brindley, Brooks, Burnett, Butler, Cabaniss, Calhoun, Carter, Cobb, Coleman, Cotnam, Creech, Crumpler, Davis, Denman, Ellis, Foreman, Foster, Griffin, Gullett, Hearin, Herron, Horn, Holly, Hughes, Johnson, Latham, Lee, Laddell, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Maxwell, Middle-

ton, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Orr, Ott, Parker, Parish, Penn, Pickett, Pratt, Rainer, Reynolds, Riley, Rives, Sheets, Sykes, Smith, Snodgrass, Stansel, Tally, Thompson of Choctaw, Ussery, Walden, Walthall, West, Wilkerson and Williams of the House—94.

The question then recurred on Mr. Jemison's motion to adjourn till Saturday 12 o'clock, which was put and lost.

The question then recurred on Mr. Pickett's motion to adjourn till to-morrow 11 o'clock, which was lost.

Mr. Orr moved to adjourn till this afternoon 4 o'clock.

Mr. Jemison moved 7 o'clock this afternoon.

The question was first taken on 7 o'clock, and lost.

The question recurred on 4 o'clock this afternoon, which was carried.

The Senate returned to its chamber.

A message was received from the House by Mr. Clitherall, announcing that the House had passed the Senate bill to raise an additional volunteer force for the defense of the State, and to resist invasion.

The Senate then adjourned until 15 minutes to 4 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Brewer, from the committee on Enrolled Bills, reported as correctly enrolled the bill to raise an additional volunteer force for the defense of the State, and to resist invasion.

The hour of 4 o'clock having arrived, the Senate repaired to the hall of the House for the purpose of continuing in the election of Confederate States Senator, the two Houses being in convention.

Mr. Walden withdrew the name of Mr. Curry.

Mr. Walker insisted upon the nomination, when the convention proceeded to a seventh ballot.

Seventh ballot; Those who voted for Mr. Clay are:

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin and Wood of the Senate, and Messrs. Alldredge, Boyles, Brindley, Cobb, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke,

Herron of Barbour, Latham, Lee, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Miller, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Slade, Snodgrass, Stanel, Starke, Tally, Thompson of Choctaw, Ussery, Walthall and Williams—54.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate; and

Messrs. Speaker, Arrington, Ashley, Bass, Berry, Brasher, Brooks, Calhoun, Crumpler, Foster, Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Logan, Mason, Maxwell, Middleton, Miree, McCall, McClelland of Limestone, Orr, Penn, Pickett, Pratt, Rives, Sheets, Smith, Thompson of Macon, Walden, West and Wilkerson, of the House—48.

Those who voted for Mr. Curry are :

Messrs. Jemison and Walker, of the Senate; and

Messrs. Aikin, Bozeman, Carter, Malone, Martin of Jefferson, Riley, and Sykes, of the House—9.

Those who voted for Mr. Bierne are :

Mr. President, Coman and Hammond, of the Senate; and

Messrs. Butler, Cabaniss, Posey and Witherspoon, of the House—7.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot again.

Eighth ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin and Wood, of the Senate; and

Messrs. Alldredge, Benners, Boyles, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke, Herron of Barbour, Latham, Lee, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Miller, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Shelton, Slade, Snodgrass, Starke, Stansel, Tally, Thompson of Choctaw, Ussery, Walthall and Williams, of the House—57.

Those who voted for Mr. Watts, are—

Messrs. Barnes, Brewer, Coman, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan, and Rice of Montgomery, of the Senate; and

Messrs. Speaker, Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Calhoun, Carter, Crumpler, Foster,

Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Liddell, Logan, Mason, Maxwell, Middleton, Miree, McCall, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Riley, Rives, Sheets, Smith, Thompson of Macon, Walden, West Wilkerson and Witherspoon, of the House—55.

Those who voted for Mr. Curry, are—

Messrs. Jemison and Walker, of the Senate; and

Messrs. Aikin, Malone and Martin of Jefferson, of the House—5.

Those who voted for Mr. Bierne, are—

Messrs. President and Hammond, of the Senate; and

Messrs. Butler, Cabaniss, Posey and Sykes, of the House—6.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot again.

Mr. Walker withdrew the name of Mr. Curry.

Ninth ballot. Those who voted for Mr. Clay, are—

Messrs. Calhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin, Walker and Wood, of the Senate; and

Messrs. Speaker, Aikin, Alldredge, Benners, Boyles, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Hearin of Clarke, Heron of Barbour, Latham, Lee, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Slade, Shelton, Snodgrass, Stansel, Starke, Tally, Thompson of Choctaw, Ussery, Walthall and Williams, of the House—61.

Those who voted for Mr. Watts, are—

Messrs. President, Barnes, Brewer, Coman, Davis, Groce, Harrison, Heffin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate; and

Messrs. Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Brooks, Burnett, Calhoun, Carter, Crumpler, Foster, Gullett, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Liddell, Logan, Malone, Mason, Maxwell, Middleton, Miree, McCall, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Riley, Rives, Smith, Thompson of Macon, Walden, West, Wilkerson and Witherspoon, of the House—56.

Those who voted for Mr. Bierne, are—

Messrs. Hammond and Jemison, of the Senate; and

Messrs. Butler, Cabaniss, Posey, Sheets and Sykes, of the House—7.

Neither candidate having received a majority of all the votes given, Mr. Cato moved to adjourn until half-past 9 o'clock to-morrow morning.

The convention proceeded to ballot again.

Tenth ballot. Those who voted for Mr. Clay, are—

Mssrs. Galhoun, Cato, Clarke, Coleman, Crump, Hardwicke, Hill, Jackson, Jewett, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin, Walker and Wood, of the Senate; and

Messrs. Speaker, Aikin, Alldredge, Benners, Boyles, Brooks, Brindley, Cobb, Coleman, Cotnam, Creech, Davis, Denman, Ellis, Foreman, Griffin, Gullett, Hearin of Clarke, Herron of Barbour, Latham, Lee, Liddell, Little of Cherokee, Little of Sumter, Lynch, Lyon, Mabry, Martin of Calhoun, Martin of Jefferson, Miller, McCall, McClelen of Calhoun, Neal, Nelson, Ott, Parker, Parish, Rainer, Reynolds, Riley, Shelton, Slade, Snodgrass, Starke, Stansel, Tally, Thompson, of Choctaw, Ussery, Walthall and Williams, of the House—66.

Those who voted for Mr. Watts, are—

Messrs. President, Barnes, Brewer, Coman, Davis, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan and Rice of Montgomery, of the Senate; and

Messrs. Arrington, Ashley, Bass, Berry, Bozeman, Brasher, Burnett, Calhoun, Carter, Crumpler, Foster, Holly, Horn, Hughes, Johnson, Judkins, Langdon, Lawler, Logan, Malone, Mason, Maxwell, Middleton, Miree, McClelland of Limestone, Orr, Parke, Penn, Pickett, Pratt, Rives, Sheets, Sykes, Smith, Thompson of Macon, Walden, West, Wilkerson and Witherspoon, of the House—53.

Those who voted for Mr. Bierne, are—

Messrs. Hammond and Jemison, of the Senate; and

Messrs. Butler, Cabaniss and Posey, of the House—5.

Mr. Clay having received sixty-six votes, it being a majority of all the votes given, Mr. Speaker declared him duly elected a Senator to represent the State of Alabama in the first Congress of the Confederate States, under the permanent Constitution thereof, for the term prescribed by law.

The business of the convention being concluded, the Senate returned to its chamber.

Whereupon, the Senate adjourned until to-morrow morning 15 minutes past 10 o'clock.

FRIDAY, November 22, 1861.

The Senate met pursuant to adjournment.

Prayer by Mr. Crump, Senator from Blount and St. Clair.

Upon the call of the districts, the following bills were introduced—

Mr. Toulmin, a bill to repeal so much of an act, approved February 9th, 1862, as creates the office of auditor in the county of Mobile;

Which was read twice under a suspension of the constitutional rule, and ordered to a third reading.

Also, a bill to discontinue the office of commissioner and trustee of the State Bank and Branches;

Which was read twice under a suspension of the constitutional rule, and referred to the joint committee of the two houses to which the report of the commissioner and trustee was referred.

Also, a bill for the relief of the county of Mobile;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on the Military.

Mr. Cato, a bill to revive and amend an act to incorporate the Eufaula Marine and Fire Insurance Company, approved 9th February, 1861;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Banks and Banking.

Mr. Rice of Montgomery, to authorize the railroad companies of the State of Alabama to issue change bills, which was read twice.

Mr. McIntyre moved to amend by additional section, as section 4.

Mr. Harrison moved to refer the bill and amendment to the committee on the Judiciary.

Mr. Clarke moved to lay the bill and amendment on the table, which was carried. Yeas 22, nays 9.

Yeas—Messrs. President, Barnes, Cato, Clarke, Coleman, Coman, Crump, Groce, Hammond, Hardwicke, Heflin, Hill, Jackson, Matthews, Moren, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin and Wood—22.

Nays—Messrs. Calhoun, Davis, Jemison, Jewett, Ligon, Morgan, Rice of Montgomery and Walker—9.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
November 22, 1861. }

Mr. President:

The House has originated and passed the following bills.

To divorce Rebecca Bobbitt from her husband William Bobbitt;

To prohibit the sale of spirituous liquors within two miles of Bethel church, in Jefferson county;

For the relief of Willis Fariss, sheriff of Winston county;

For the relief of David Deshler;

To amend an act amendatory of the charter of the city of Selma;

For the relief of A. Scrogin, jailor of Dallas county;

In relation to the war tax authorized by congress to be assessed and levied upon certain property in this State;

And a joint memorial of the Senate and House of Representatives of the State of Alabama to the congress of the Confederate States of America.

The Senate proceeded to the consideration of the special order for the hour of 11 o'clock.

The question pending being Mr. Walker's motion to amend the amendment offered by Mr. McIntyre to the bill to grant the right of way, land, earth, stone and timber to rail roads in this State, Mr. Walker withdrew his amendment.

On motion of Mr. Cato, the bill and amendment were referred to the committee on Public Lands.

The further consideration of the special orders for the hour of 11 o'clock was suspended to allow Mr. Jemison, from the committee on Finance, to offer bills; whereupon

Mr. Jemison introduced the following bills:

A bill to amend an act to regulate judicial proceedings, and for other purposes, approved February 8th, 1861;

And a bill to authorize the collection of the State tax assessed and accruing to the treasury during the fiscal year commencing the 30th September, 1861, and ending 30th September, 1862, to be suspended and providing for the deficit created thereby; which were severally read twice under a suspension of the constitutional rule, and made the special order for 11 o'clock to-morrow.

The Senate proceeded to the consideration of the special order for the hour of 12 o'clock, it being the bill in relation to the war tax authorized by congress to be assessed and levied on certain property in this State.

On motion of Mr. Jemison, the bill was laid on the table,

and the House bill of the same title taken from the messages of the House and read three times under a suspension of the constitutional rule, and passed. Ordered to be sent forthwith to the House.

The Senate proceeded to the consideration of the general orders, the first in order being the bill to reduce the salaries, pay and perquisites of office of the several civil officers of this State, during the continuance of the existing war; which was read a second time.

Mr. Jemison moved to postpone the further consideration of the bill, and make it the special order for 11 o'clock Monday next.

Mr. Morgan moved to indefinitely postpone its consideration.

Mr. Rice moved to postpone its consideration until the 8th of December next. Mr. Rice's motion having precedence over the other motions, was put and carried.

The Senate then adjourned until to-morrow morning 15 minutes past 9 o'clock.

SATURDAY, November 23, 1861.

The Senate met pursuant to adjournment.

Prayer by Mr. Brewer, Senator from Coosa.

On motion of Mr. Brewer, the call of the districts was suspended to allow the committee on Accounts and Claims to report; whereupon Mr. Morgan, from said committee, reported an amendment to section second to the bill from the House for the relief of Isaac J. Adams, jailor of Coosa county.

Mr. Wood moved to amend the amendment of the committee by striking out "forty" and inserting "seventy-five" in the appropriation to John Helton, which was carried. The amendment was adopted and the bill read a third time and passed, and ordered forthwith to the House;

Also, favorably with a proviso to the House bill for the relief of John P. Howard, jailor of Butler county. The amendment was adopted and the bill read a third time and passed. Ordered forthwith to the House.

Upon the call of the districts the following bills were introduced:

Mr. Reavis, a bill to amend the charter of the town of Gainesville, accompanied with a petition, which was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Also, a bill to authorize and require the banks to issue

small bills; which was read twice under a suspension of the constitutional rule, and referred to the committee on Banks and Banking.

Mr. Groce, a bill to authorize the commissioners' court of Talladega county to levy a special tax for purposes therein named; which was read three times under a suspension of the constitutional rule, and passed.

Mr. Walker, a petition from Martha Carrol of Calhoun county; which was referred to the committee on Public Lands.

Mr. Wood, a bill to amend an act entitled an act to incorporate the Woodville Insurance Company; which was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Mr. Reavis, from the Judiciary committee, reported favorably to the bill to regulate the fees of jailors.

Mr. Walker moved to strike out the second section; which was lost.

Mr. Calhoun moved to lay the bill on the table; which was lost.

Mr. Reavis moved to dispense with the constitutional rule, in order to give the bill a third reading forthwith; which was lost. The bill was ordered to a third reading.

Mr. Stone, from the same committee, reported a substitute for the bill to authorize certain settlements in the probate court of Pickens county. The substitute was adopted and the bill read a third time and passed.

The caption was amended by striking out "court of Pickens county," and inserting "courts of this State."

Also, favorably to the bill to require the registers and receivers of public lands in this State to receive in payment for lands entered, the current notes of the banks of this State, the Treasury notes of the government of the Confederate States, or of this State. The bill was read a third time and passed.

Also, adversely to the bill to authorize Dennis Springer to construct a turnpike through the valley of, and build a bridge across Sipsie river.

On motion of Mr. Jemison, the bill and report were laid on the table.

By leave, Mr. Jemison introduced a bill to amend an act entitled an act to authorize Dennis Springer to construct a turnpike across Sipsie river, approved February 21st, 1860; which was read three times under a suspension of the constitutional rule, and passed. Yeas 16, Nays 10.

Yeas—Messrs. President, Clarke, Coleman, Coman, Davis, Hammond, Harrison, Hill, Jackson, Jemison, Moren, Morgan, Stone, Toulmin, Walker and Wood—16.

Nays—Messrs. Brewer, Calhoun, Crump, Groce, Hardwicke, Jewett, Matthews, Reavis, Rice of Montgomery, and Rice of Jackson—10.

Mr. Walker, also adversely to the bill to incorporate the Troy Female College.

Mr. Stone moved to recommit the bill to the same committee; which was lost, and the report was concurred in.

A message was received from the Governor by his Private Secretary, Mr. Albright, that he had approved the

Joint resolutions providing that the Legislature at this session fill the vacancy in the representation of Alabama in the provisional congress occasioned by the resignation of the Hon. John Gill Shorter.

Mr. Davis, from the committee on 16th Sections, reported favorably to the bill in relation to certain debts due township 5, range 22, in Coffee county.

The bill was read a third time and passed.

Mr. McIntyre, also adversely to the bill to incorporate the Steamboat Captains' and Owners' Union and Benevolent Association of Mobile.

On motion of Mr. Toulmin, the bill and report were laid on the table.

Mr. Harrison, from the committee on Banks and Banking, reported adversely to the bill to authorize the city of Tuscaloosa to issue change bills.

On motion of Mr. Jemison, the bill and report were laid on the table.

On motion, leave of absence was granted to Messrs. McIntyre, Barnes, Ligon and Lewis.

On motion of Mr. Jewett,

1. *Resolved*, That the committee on Public Lands be instructed to inquire into the propriety of extending to the assignees of bounty land warrants the same privilege as is conferred by section 35 of an ordinance of the convention of the State, entitled "an ordinance in relation to the waste and unappropriated land in the State of Alabama," upon the holders of such warrants on the 11th Jan., 1861.

2. *Resolved*, That said committee further inquire into the propriety of authorizing the holders and assignees of land warrants to locate the same upon $\frac{1}{4}$ sections of $\frac{1}{4}$ sections or quarter $\frac{1}{4}$ sections of land, at the option of such holders or

assignees of land warrants, in the same manner as is prescribed for the sale of such lands in section 28 of said ordinance.

By leave, Mr. Brewer introduced a bill to authorize the comptroller to draw his warrant upon the treasurer in favor of tax collectors in certain cases;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing that the Governor had approved the Senate bill

To raise an additional volunteer force for the defense of the State and to resist invasion.

Mr. President laid before the Senate the annual return of the Adjutant and Inspector General;

Which was referred to the committee on Military Affairs.

The hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special orders for that hour.

The first in order being the bill to relieve volunteers from penalties in certain cases—the question being on concurring in the report of the committee,

On motion of Mr. Rice of Montgomery, the report was laid on the table.

Mr. Rice of Montgomery moved to amend by substitute.

Mr. Reavis moved to amend Mr. Rice's amendment by way of substitute.

Mr. Coleman also offered an amendment, which, with the other amendments and the bill, was referred to a select committee, as follows: Messrs. Davis, Reavis, Rice of Montgomery, Coleman and Jemison.

The next special order was the bill to amend an act to regulate judicial proceedings, and for other purposes, approved 8th February, 1861; which was referred to the committee on the Judiciary.

The next special order was the bill to authorize the collection of the State tax assessed and accruing to the treasury during the fiscal year commencing the 30th Sept., 1861, and ending 30th Sept., 1862, to be suspended, and providing for the deficit created thereby.

Mr. Harrison moved to refer it to the Judiciary committee, which was lost.

Mr. Clarke moved to postpone the further consideration of the bill until Monday next at 11 o'clock.

Mr. Rice of Montgomery moved Tuesday 11 o'clock.

The question was first taken on Mr. Rice's motion, which was carried. Yeas 13, nays 12.

Yeas—Messrs. Brewer, Coleman, Crump, Hardwicke, Harrison, Jackson, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—13.

Nays—Messrs. President, Calhoun, Clarke, Coman, Davis, Groce, Hammond, Jemison, Reavis, Stone, Toulmin and Walker—12.

The hour of 12 o'clock, m., having arrived, the Senate was invited into the hall of the House for the purpose of electing a member to the provisional congress of the Confederate States, to fill the vacancy in the representation from the State of Alabama, occasioned by the resignation of the Hon. John Gill Shorter.

The Senate repaired to the hall of the House, when the two houses in convention proceeded to the election of a member to the provisional congress of the Confederate States.

Mr. Martin of Calhoun placed in nomination Cornelius Robinson of Lowndes county.

Mr. Robinson alone being in nomination, and having received ninety-two votes, it being all the votes cast, Mr. Speaker declared him duly elected a member of the provisional congress of the Confederate States from the State of Alabama for the unexpired term of Hon. John Gill Shorter.

The business of the convention being concluded, the Senate returned to its chamber.

A message was received from the House announcing that the House had originated and passed the following bills:

To suspend section 21, chapter 12, of the military code of Alabama;

To amend section 7, chapter 4, of the military code of Alabama.

The Senate proceeded to the consideration of the special order for the hour of 12 o'clock, it being the resolution offered by Mr. Rice of Montgomery, as instructions to the Judiciary committee.

The question pending being on the amendment offered by Mr. Clarke,

By leave, Mr. Clarke withdrew his amendment.

By leave, Mr. Reavis also withdrew his amendment.

By leave, Mr. Rice of Montgomery withdrew the resolution.

The Senate then adjourned until 15 minutes past 9 o'clock Monday morning.

MONDAY, November 25, 1861

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Upon the call of the districts, the following bills were introduced:

Mr. McIntyre, a bill for the relief of the sick and wounded soldiers who may be sent from Pensacola to Montgomery, to be taken care of during the present session of the General Assembly;

Which was read once and laid on the table.

Mr. Ligon, a bill in relation to the estates of deceased persons;

Mr. Heflin, a bill to suspend the collection of debts;

Mr. McIntyre, a bill to define and punish the crime of yankorism;

Mr. Jemison, to amend an act entitled an act to better ascertain the advancements made to legatees or distributees by the testator or intestate in his lifetime, approved February 8, 1858.

All of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Clarke, a bill for the relief of indigent families of volunteers in the county of Marengo, was read twice.

Mr. Rice of Montgomery moved to amend by making it apply to any county in the State.

The amendment was adopted.

The bill, as amended, was read three times under a suspension of the constitutional rule, and passed.

The caption was amended so as to read, a bill for the relief of indigent families of volunteers in the counties of the State.

Mr. Cato, a bill to amend an act entitled an act to incorporate the Eufaula Home Insurance Company, approved February 8, 1861, which was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Mr. Calhoun, from the Judiciary committee, reported favorably to the bill in relation to tax collectors.

Mr. Rice of Montgomery, from the same committee, reported favorably to the bill to enlarge the jurisdiction of the several probate courts of this State.

Mr. Davis, from the same committee, reported favorably to the bill to change the time of taking up the State docks, etc.

Mr. Smith, from the same committee, reported favorably to the bill to amend section 2033 of the Code.

All of which were severally read a third time, and passed.

Mr. Walker, from the Judiciary committee, reported a substitute for the bill to prevent the exportation of leather from the State of Alabama.

The substitute was adopted, and the bill read a third time, and passed.

The caption was amended to read as follows :

A bill to protect the public and our soldiers from the oppression of the speculators and others.

Mr. Clarke, from the same committee, reported adversely to the petition of sundry citizens of Covington county. Report concurred in.

Mr. Toulmin, from the committee on Military Affairs, reported adversely to the resolution instructing them to prepare and report a bill to authorize and require the Governor to organize an additional volunteer force, as a bill similar in character had passed.

The report was concurred in.

Also, favorably to the bill to repeal section 3, of an ordinance to authorize the colonels of volunteer regiments to appoint their own staff officers.

The bill was read a third time, and passed.

Also, to whom was referred the bill granting to the State of Mississippi the use of the ship-yards, docks, etc., of this State, for certain purposes, reported, that as the State of Alabama is not the owner of any ship-yards, docks, etc., within the knowledge of this committee, it is inexpedient to legislate on the subject.

The report was concurred in.

Also, favorably to the bill for the relief of the Soldiers' Home, and for other purposes, with an amendment that the blank be filled with "one thousand dollars." The bill and report were referred to the select committee to which had been referred a bill of a similar character.

Mr. McIntyre moved to take from the table the bill for the relief of the sick and wounded soldiers who may be sent

from Pensacola to Montgomery to be taken care of during the present session of the General Assembly, and was referred to the same select committee.

Mr. Toulmin, favorably to the House bill to extend the time of making the returns required by chapter 5, of the Military Code of Alabama, with an amendment as follows:

Strike out the words "United States," in the Military Code, wherever they occur, and insert the words "Confederate States of America."

The amendment was adopted, and the bill ordered to a third reading.

Mr. McIntyre introduced joint resolutions on the subject of the naturalization of aliens, and of their exercise of the elective franchise in the Confederate States of America, which were adopted.

Mr. President appointed under them Messrs. Calhoun, McIntyre, Cato, Hardwicke and Ligon.

The Senate proceeded to the consideration of the general orders.

The bills—

To repeal so much of an act approved 9th February, 1852, as creates the office of Auditor in the county of Mobile, and

To regulate the fees of jailors, were severally read a third time, and passed.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES, Nov. 26th.

Mr. President:

The House has originated and passed the following bills:

For the relief of Thomas B. Bowling, tax collector for Washington county;

To prohibit the sale of spirituous liquors within two miles of Harmony Church, in Franklin county, and the Presbyterian church, near Pleasant Site, in said county.

To authorize the Judge of the Probate court of Wilcox county to make advertisement in a paper published in an adjoining county.

To authorize John W. Posey and M. M. Posey to have voting privileges in Blount county.

Making an appropriation to repay a certain loan therein named.

The House has also amended and passed the Senate bill to repeal section 2447 of the Code of Alabama, so far as it applies to Blount and Marshall counties.

The House bills—

For the relief of Willis Farris, sheriff of Winston county;

For the relief of David Deshler;

To prohibit the sale of spirituous liquors within two miles of Bethel Church, in Jefferson county;

To prohibit the sale of spirituous liquors within two miles of Harmony Church, in Franklin county, and the Presbyterian church near Pleasant Site, in said county;

To authorize the judge of the probate court of Wilcox county to make advertisement in a paper published in an adjoining county;

For the relief of Thomas B. Bowling, tax collector of Washington county;

Were severally read three times under a suspension of the constitutional rule, and passed.

The House bill to authorize John W. Posey and M. M. Posey to have voting privileges in Blount county, was read twice under a suspension of the constitutional rule.

Mr. Rice of Montgomery moved to amend as follows:

Add to the end of section — as follows:

“And the county boundary is hereby so changed as to include the persons aforesaid within the county of Blount.”

The amendment was adopted, and the bill read a third time, and passed.

The Senate proceeded to consider the amendment made by the House to the bill to repeal section 2447 of the Code, so far as it applies to Blount and Marshall counties.

Mr. Wood moved to amend the amendment by striking out the county of Henry, which was adopted, and the House amendment concurred in.

Also, the amendment to the caption, so as to read:

“To repeal section 2447 of the Code, so far as it applies to Blount, Marshall, and other counties therein named.”

The House bill to divide the county of Butler into four commissioners' districts, was read twice, and referred to the committee on County Boundaries.

The House bills—

To amend section 7, chapter 4, of the Military Code of Alabama; and

To suspend the operation of section 12, of the Military Code of Alabama;

Were read twice under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

The joint memorial of the Senate and House of Representatives of the State of Alabama to the Congress of the

Confederate States of America was referred to the committee on Confederate Relations.

The House bill for the relief of A. Scrogin, jailor of Dallas county, was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The House bill to amend an act amendatory of the charter of the city of Selma, was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

The House bill to divorce Rebecca P. Bobbitt from her husband, William Bobbitt, was read three times under a suspension of the constitutional rule and passed by the constitutional majority, taken by yeas and nays.

The caption was amended by adding thereto the words, "and other persons therein named."

Mr. Rice of Montgomery, presented the account of White, Pfister & Co.; which was referred to the committee on Accounts and Claims.

Mr. Cato, from the select committee to which was referred three several bills to establish and provide for the Soldiers' Home in the city of Montgomery, reported bill marked No. 2, and recommend that the blanks be filled with "ten thousand dollars," and as amended recommend the passage of the bill.

Mr. Harrison moved to amend by additional section, as section 3.

Mr. Rice of Montgomery also offered an amendment.

Mr. Jemison moved to recommit the bill and the amendments to the same select committee; which was carried. Yeas 19, Nays 9.

Yeas—Messrs. President, Brewer, Calhoun, Clarke, Coleman, Coman, Hammond, Hardwicke, Hill, Jemison, Jewett, Ligon, Moren, Morgan, Rice of Jackson, Stone, Toulmin, Walker and Wood—19.

Nays—Messrs. Cato, Crump, Davis, Groce, Harrison, Jackson, Matthews, Reavis and Rice, of Montgomery—9.

Messrs. Rice, Jemison and Calhoun were excused from acting on the Select committee, to which the above bills were referred. Messrs. Hammond, Wood and Stone were appointed on said committee to fill the vacancy.

The Senate proceeded to the consideration of the special order, it being the joint resolutions in relation to the Confederate cotton loan.

Pending the consideration of which, the Senate adjourned until to-morrow morning 15 minutes past 9 o'clock.

TUESDAY, November 26th, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Petrie.

Upon the call of the districts, the following bills and petitions were introduced—

Mr. Barnes the petition of citizens of Chambers county in regard to distilling spirits from grain; which was referred to the committee on Propositions and Grievances.

Mr. Harrison, a bill to extend the jurisdiction of the probate court; which was read twice and referred to the committee on the Judiciary.

Mr. McIntyre, a bill to legalize the action of the court of county commissioners of Pike county in providing by outlays of county funds for the relief of volunteers and their families; which was read twice under a suspension of the constitutional rule, and laid on the table.

Mr. Toulmin, a bill for the relief of the Mobile and Great Northern Rail Road Company; which was read twice under a suspension of the constitutional rule, and referred to the committee on Public Lands.

REPORTS FROM COMMITTEES.

Mr. Stone, from the Judiciary committee reported adversely to the bill to enlarge the jurisdiction of the probate court of the county of Tuscaloosa in the settlement of the estate of William M. Marr and Nancy G. Marr, deceased.

On motion of Mr. Stone, the bill and report were laid on the table.

Mr. Toulmin, from the committee on the Military, to which was referred resolutions from a board of military officers of Sumter county, reported a bill to amend the military code of Alabama, adopted February 10, 1852; which was read twice under a suspension of the constitutional rule, and ordered to a third reading.

Mr. Barnes, from the Judiciary committee, reported favorably to the bill to amend sections 1029, 1030 and 1032 of the Code. The bill was read a third time and passed.

Mr. Reavis, from the same committee, to which was referred the several bills to regulate judicial proceedings, commonly called stay-laws, reported a substitute for them as

follows: A bill to be entitled an act to regulate judicial proceedings;

Also, reported that some of the committee did not concur in the report.

The substitute was adopted, and 150 copies ordered to be printed, and that the bill be made the special order for 11 o'clock on Thursday next.

Mr. Jemison, from the committee on Finance and Taxation, reported a substitute for the bill for the relief of the commissioners' court for the county of Macon, with the following title: A bill to exempt the several counties in this State from imposing the tax for the support of the indigent families of volunteers in certain cases.

The substitute was adopted and the bill read a third time and passed.

Also, favorably to the bill for the relief of W. P. Spinks, late tax collector of Choctaw county. The bill was read a third time and passed.

Mr. Hill, from the committee on County Boundaries, reported favorably to the House bill to divide the county of Butler into four commissioners' districts. The bill was read a third time and passed.

Mr. Davis, from the Select committee to which was referred the bill for the relief of volunteers, in certain cases, together with the amendments offered, reported a substitute, as follows:

A bill for the relief of certain volunteers. The substitute was adopted, and the bill read a third time and passed. Yeas 18, Nays 12.

Yeas—Messrs. Calhoun, Coleman, Davis, Groce, Hammond, Hardwicke, Harrison, Jackson, Jewett, Ligon, Matthews, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Walker—18.

Nays—Messrs. President, Barnes, Brewer, Cato, Clarke, Coman, Crump, Heflin, Hill, Moren, Toulmin and Wood—12.

Mr. Walker, from the committee on Internal Improvements, reported favorably to the bill to incorporate the Pensacola and Mobile Rail Road Company. The bill was read a third time and passed.

Mr. Jemison, from the committee on Finance and Taxation, reported favorably with an additional section, as an amendment to the bill to authorize the Comptroller to draw his warrant on the Treasurer in favor of tax collectors in certain cases.

The amendment was adopted, and the bill read a third time and passed.

The caption was amended by adding the words "and for other purposes."

By leave, Mr. Walker introduced a bill to incorporate the Confederate States Express Company; which was read twice under a suspension of the constitutional rule.

Mr. Jemison moved to amend by inserting the name of Benj. F. Ficklen, after the name of Julius Norton, in the first section; which was adopted.

The bill was referred to the committee on Corporations.

Mr. President laid before the Senate a communication from the Governor informing the Senate that the term of service of Alexander B. Clitherall and Porter King, as trustees of the State hospital for insane persons will expire at the end of the present session of the General Assembly; and nominating for the confirmation of the Senate the names of Porter King and M. L. Stansel of Pickens county, to fill the vacancies.

The Senate confirmed the nominations.

Mr. Cato, from the Select committee, to which was referred the bill for the benefit of the Soldiers' Home in the city of Montgomery, reported favorably thereto, with the following amendments:

1st. Fill the blanks with "ten thousand dollars."

2d. Add to the second section the words, "And said officers shall furnish to the Governor the vouchers for all amounts expended under this act."

3d. Add an additional section, as section 3. The amendments were adopted, and the bill read a third time and passed.

The caption was amended by adding the words, "and for other purposes." Ordered forthwith to the House.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
November 26, 1861. }

Mr. President:

The House has originated and passed the following bills:

To amend section 646 of the Code;

For the relief of B. F. Seals of Choctaw county;

For the benefit of the minor heirs of S. A. Watts, deceased;

To make W. W. Armstead, a liner between Monroe and Clarke counties, a citizen of Clarke county;

To regulate the pay of members of the commissioners' court of Lawrence county;

To amend section 796 of the Code to apply to the county of Marion;

To relieve the citizens of Pine Level, in Montgomery county;

To authorize the commissioners' court of Cherokee county to levy a special tax in order to require each citizen of said county to bear a just proportion of expenses heretofore incurred for volunteers and the support of their families, according to the amount of his or her taxable property;

To provide for the manufacture of certain arms for Mobile;

To facilitate the equipment of volunteers, and for the purchase of arms.

The House has passed the Senate bill for the relief of Oliver H. Prince, as executor of the last will and testament of Edmund Prince, deceased.

The Senate proceeded to the consideration of the special order for 12 o'clock, it being the joint resolutions relating to a Confederate cotton loan.

Mr. Reavis moved to refer them to the committee on Confederate Relations.

Mr. Brewer moved to lay them on the table; which motion had precedence, was put and lost. Yeas 10, Nays 17.

Yeas—Messrs. President, Brewer, Calhoun, Coleman, Hammond, Hardwicke, Heflin, Rice of Jackson, Toulmin and Walker—10.

Nays—Messrs. Barnes, Cato, Clarke, Coman, Crump, Groce, Harrison, Jackson, Jemison, Ligon, Mathews, Morgan, McIntyre, Reavis, Rice of Montgomery, Stone and Wood—17.

The resolutions were referred.

On motion of Mr. Harrison,

Resolved, That his excellency the Governor be requested to lay before the Senate a copy of the reports now in his office from the several banks reported to him by the commissioners appointed for that purpose.

The Senate proceeded to the consideration of the special order for the hour of 11 o'clock, it being the bill to authorize the collection of the State tax assessed and accruing to the treasury during the fiscal year commencing 30th September, 1861, and ending 30th September, 1862, to be suspended, and providing for the deficit created thereby.

Mr. Jemison moved to strike out the second section; which was carried.

Mr. Crump moved to postpone the further consideration of the bill until Friday next, and make it the special order for 12 o'clock that day; which was carried. Yeas 20, Nays 9.

Yeas—Messrs. Barnes, Brewer, Cato, Coleman, Crump, Groce, Hammond, Hardwicke, Harrison, Jackson, Jewett, Ligon, Matthews, Moren, Morgan, McIntyre, Rice of Jackson, Rice of Montgomery and Wood—20.

Nays—Messrs. President, Calhoun, Clarke, Hill, Jemison, Reavis, Stone, Toulmin and Walker—9.

By leave, Mr. Rice of Montgomery introduced a bill to prevent the productive energies of the country from being checked and to make cotton available; which was read twice under a suspension of the constitutional rule.

Mr. Rice of Montgomery moved to print 150 copies, and postpone its further consideration until Thursday next at 11 o'clock, and make it the special order for that hour.

Mr. Jemison moved Friday at 11 o'clock. A division of the question being called for, the question was first taken on printing; which was carried.

The question was first put on postponing until Friday 11 o'clock; which was lost. Yeas 13, Nays 17.

Yeas—Messrs. President, Calhoun, Clarke, Coleman, Davis, Heflin, Jemison, Jewett, Ligon, Matthews, Reavis, Stone, Toulmin and Walker—13.

Nays—Messrs. Barnes, Brewer, Cato, Coman, Crump, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Moren, Morgan, McIntyre, Rice of Jackson, Rice of Montgomery and Wood—17.

The question then recurred on the motion of Mr. Rice of Montgomery, for postponing till Thursday 11 o'clock; which was carried.

The House bill to provide for the manufacture of certain arms for Mobile, was read three times under a suspension of the constitutional rule, and passed.

The Senate then adjourned until to-morrow morning 15 minutes past 9 o'clock.

WEDNESDAY, November 27, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Petrie.

Upon the call of the districts the following bills were introduced:

Mr. Rice of Montgomery, a bill to authorize the commis-

sioners' courts of this State to grant the right of way to persons and corporations; which was read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Also, a bill incorporating the Wetumpka Wharf Company;

Also, a bill to amend the charter of the city of Wetumpka; both of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Mr. Hill, a bill to exempt ministers of the gospel from road duty, in the county of Walker;

Mr. Barnes, a bill for the relief of Washington Brakefield, jailor of Chambers county; both of which were read three times under a suspension of the constitutional rule, and passed.

Mr. Calhoun, a bill supplemental to two several acts in relation to the manufacture of salt; which was read twice and referred to a select committee of three, to wit: Messrs. Calhoun, Toulmin and Jewett.

REPORTS FROM STANDING COMMITTEES.

Mr. Harrison, from the committee on Banks and Banking, reported favorably to the House bill making an appropriation to repay a certain loan therein named. The bill was read a third time and passed.

Also, favorably to the bill to revive and amend an act to incorporate the Enfaula Marine and Fire Insurance Company, approved 9th February, 1861. The bill was read a third time and passed.

Also, favorably to the bill to amend the charter of the Mobile Savings Bank. The bill and report were laid on the table.

Mr. Clarke, from the committee on Corporations, reported favorably to the bill to amend the charter of the town of Gainesville. The bill was read a third time and passed.

Also, favorably to the bill to amend an act amendatory of the Charter of the city of Selma. The bill was read a third time and passed.

Also, favorably to the bill to amend an act to incorporate the Woodville Insurance Company, with an amendment to strike out the words "first" and "and," in the second line of the second section.

The Senate rejected the amendment.

Mr. Barnes moved to amend by additional sections, as sections 3 and 4, which was adopted.

Mr. Walker moved to amend by additional section, as section 5, which was adopted.

Mr. Harrison moved to amend as follows:

That the privilege granted to use the currency of the banks of other States shall not be longer than the 1st June, 1864.

Mr. Walker moved to lay the amendment on the table, which was carried. Yeas 14—nays 13.

Yeas—Messrs. Barnes, Cato, Groce, Hardwicke, Hill, Jackson, Jewett, Matthews, Morgan, McIntyre, Reavis, Toulmin, Walker and Wood.

Nays—Messrs. President; Calhoun, Coleman, Coman, Crump, Davis, Hammond, Harrison, Heflin, Lewis, Moren, Rice of Jackson, and Stone.

The bill was read a third time, and passed. Yeas 19—nays 9.

Yeas—Messrs. President, Barnes, Brewer, Clarke, Crump, Groce, Hardwicke, Hill, Jackson, Jemison, Jewett, Matthews, Morgan, McIntyre, Reavis, Rice of Montgomery, Toulmin, Walker and Wood.

Nays—Messrs. Calhoun, Coleman, Coman, Davis, Harrison, Heflin, Moren, Rice of Jackson and Stone.

Mr. Brewer, from committee on Enrolled Bills, reported as correctly enrolled the bill for the relief of Oliver H. Prince, as executor of the last will and testament of Edmund Prince, deceased.

Mr. President laid before the Senate a communication from the Governor, containing the reports of the commissioners appointed to examine the several banks of this State, which was referred to the committee on Banks and Banking, with instructions to have printed such portions of said reports as they deemed best.

A message was received from the House announcing that the House had passed the following Senate bills:

For the benefit of the Soldiers' Home, in the city of Montgomery, and for other purposes;

To establish a bank in the town of Gainesville, to be called "The Planters' Bank of Alabama."

Also, that the House has originated and passed a bill to incorporate the Southern Salt Manufacturing Company, and for other purposes.

Also, that the House has adopted the following resolution :

Resolved, That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait upon the Governor and the Governor elect, and ascertain whether it will suit their convenience to inaugurate the Governor elect on Monday next, at 12 o'clock, M., and if agreeable, that the hour be fixed for the inauguration.

Messrs. Starke, Stansel and Ashley on the House committee.

The Senate concurred in the above resolution of the House, and Messrs. Cato, Toulmin and Jewett were appointed on the part of the Senate.

On motion of Mr. Stone,

Resolved, That the committee on Education and Sixteenth Sections of the Senate, and the committee on Sixteenth Sections of the House, be authorized, with the concurrence of the House, to hold joint sessions whenever in their opinion the business entrusted to them may require joint action.

The Senate proceeded to the consideration of the general orders.

The bill to amend the Military Code of Alabama, adopted February 10th, 1852, and

The House bill to extend the time of making the returns required by chapter 5, of the Military Code of Alabama,

Were severally read a third time, and passed.

The House bills—

To make W. W. Armistead (a liner between Monroe and Clarke counties) a citizen of Clarke county, was read twice under a suspension of the constitutional rule.

Mr. Jewett moved to amend as follows:

“And the county boundary of said county of Clarke is hereby so far changed as to embrace the residence of the said W. W. Armistead within its limits.”

The amendment was adopted, and the bill read a third time forthwith, and passed.

Also, the bills—

To relieve the citizens of Pine Level, in Montgomery county;

To amend section 796 of the Code, to apply to the county of Marion;

To regulate the pay of the court of county commissioners of Lawrence county;

To amend section 646 of the Code of Alabama;

All of which were severally read three times under a suspension of the constitutional rule, and passed.

The House bill for the relief of B. F. Seale, of Choctaw county, was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The House bill to facilitate the equipment of volunteers, and for the purchase of arms, was read twice under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

The House bill to authorize the court of county commissioners of Cherokee county to levy a special tax in order to require each citizen of said county to bear a just proportion of expenses heretofore incurred for volunteers and the support of their families, according to the amount of his or her taxable property, was read twice under a suspension of the constitutional rule.

Mr. Hardwicke moved to amend by striking out the word "of," before the word — in — line of first section, which was carried, and the bill was referred to the Judiciary committee.

The House bill to incorporate the Southern Salt Manufacturing Company, and for other purposes, was read twice, and referred to a select committee, consisting of Messrs. Calhoun, Toulmin and Jewett.

The House bill for the benefit of the minor heirs of S. A. Watts, deceased, was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

The Senate then adjourned until to-morrow morning, 15 minutes past 9 o'clock.

THURSDAY, November 28th, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Manly.

Upon the call of the districts, the followidg bills were introduced:

Mr. Jewett, a bill to amend an act therein referred to, which was read twice, and referred to the committee on Roads, Bridges and Ferries.

Mr. Brewer, a bill to amend section 1056 of the Code of Alabama, which was read twice under a suspension of the constitutional rule, and lost. Yeas 12—nays 15.

Yeas—Messrs. Brewer, Clarke, Crump, Groce, Hardwicke,

Harrison, Hill, Ligon, Matthews, Morgan, Reavis and Rice of Jackson.

Nays—Messrs. President, Barnes, Calhoun, Coleman, Coman, Davis, Hammond, Heflin, Jackson, Jewett, Lewis, Rice of Montgomery, Stone, Walker and Wood.

Mr. Crump, a bill to authorize volunteers to vote in a certain election in De Kalb county, which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Calhoun, from a select committee, reported favorably to the House bill to incorporate the Southern Salt Manufacturing Company, with the following amendment:

After the word "privileges," in the second line of the 9th section, insert the words "not contrary to the constitution and laws of this State."

The amendment was adopted, and the bill read a third time, and passed.

Mr. Rice of Montgomery, from the Judiciary committee, reported a substitute for the bill to authorize the commissioners' court of Cherokee county to levy a special tax, &c., with the following title:

To equalize the burthens of expenses incurred by the war.

The substitute was adopted, and the bill read a third time and passed.

Mr. Clarke, from the committee on Corporations, reported favorably to the bill to amend an act to incorporate the Kufaula Home Insurance Company, approved February 8th, 1861.

The bill was read a third time and passed.

Mr. Morgan, from the committee on Accounts and Claims, to whom was referred the account of White, Pfister & Co., reported the following bill:

A bill for the relief of White, Pfister & Co., which was read three times under a suspension of the constitutional rule, and passed.

Mr. Toulmin, from a select committee, reported favorably to the bill supplemental to two several acts in relation to the manufacture of salt.

The bill was read a third time and passed.

Mr. Jemison, from the joint select committee of the two houses, appointed to examine and audit the account of John Whiting, commissioner and trustee of the State Bank and Branches, reported as follows:

The committee examined the account of the commissioner

and trustee submitted by him to the two houses of the last General Assembly, showing his transactions up to the 10th January, 1860, which as then settled showed a balance in his hands of \$220,252 41, which balance is correctly brought forward in the new account.

On examination of this account from the 10th January, 1860, up to the 20th November, 1861, in detail, and comparing each item with the vouchers therefor, the several items were sustained and verified by proper vouchers.

The arrangements of the commissioner and trustee to secure the prompt fulfillment of every obligation of the State and to preserve its character for good faith and punctuality, have been highly judicious, and your committee being entirely satisfied of the correctness of his account submitted, recommend that it be allowed and filed with the Comptroller of Public Accounts for safe keeping.

Your committee, to which was also referred a bill to discontinue the office of commissioner and trustee, &c., in view of the fact that a portion of the bonds of the State that constitute a part of our foreign debt has to be extended and the payment of interest abroad has to be provided for from time to time, and that existing political and commercial troubles may in some instances require a change to be made in the place and manner of payment of this interest, recommend that the present commissioner and trustee be continued in office. But as his duties have been diminished by a reduction of the debt, they recommend a corresponding reduction of his salary.

In conformity with these views, your committee report the accompanying substitute for the bill referred, and recommend its passage:

A bill to continue the office of commissioner and trustee for closing the remaining unsettled business of the State Bank and Branches, and to provide for the payment of the foreign debt of the State.

The substitute was adopted.

Mr. Jemison moved to fill the blank in the second section with "five hundred," which was carried.

The bill was read a third time and passed.

Mr. Cato, from the joint select committee appointed to wait upon the Governor and Governor elect, to ascertain if it would be agreeable to them that the Governor elect be inaugurated on Monday next at 12 o'clock, M., reported, that it was agreeable to them that such time should be fixed for the inauguration of the Governor elect.

The committee was discharged.

Mr. Cato, from the Judiciary committee, reported adversely to the bill

To amend an act to better ascertain the advancements made to legatees or distributees by the testator or intestate in his lifetime, approved Feb. 8, 1858.

The report was concurred in.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing his approval of the Senate bill

For the relief of Oliver H. Prince, as executor of the last will and testament of Edmund Prince, deceased.

Mr. Jewett, from the committee on Public Lands, to which was referred three several bills granting public lands to works of internal improvement, reported a substitute for them as follows :

An act granting a portion of the public lands of the State to works of internal improvement.

Mr. Rice moved to lay the substitute on the table, which was lost.

Mr. Reavis moved to amend by inserting the words "or troops," after the words "munitions of war," in section 5, which was adopted.

On motion of Mr. Rice of Montgomery, the bill and amendment were laid on the table.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
Nov. 28, 1861. }

Mr. President :

The House has originated and passed the following bills :

To relieve certain tax payers of Mobile ;

For the relief of Griffin White, jailor of Marion county ;

To amend the charter of the Livingston Insurance Company ;

To amend the charter of the city of Montgomery ;

To encourage the manufacture of cotton and wool cards in this State ;

To authorize L. W. Trawick to erect gates across a public road in Butler county ;

To authorize the removal of the administration of the

estate of John D. Smith, deceased, from the county of Mobile to the county of Wilcox;

To authorize the court of probate of Madison county, to grant letters of administration upon the estate of Arthur A. Acklen of Lawrence county;

Requiring retailers to pay the same license that is paid in the city of Montgomery;

To prevent the sale of vinous or spirituous liquors within three miles of Scottville, in Bibb county;

To amend the charter of the Alabama and Florida Railroad Company;

To amend section 14 of an act to establish a hospital for insane persons in Alabama;

Joint resolutions proposing amendments to the Constitution of said State in reference to the jurisdiction of justices of the peace.

The House has also passed the following Senate bills:

In relation to tax assessors and tax collectors;

In relation to the estate of Catharine Cockburn;

For the relief of certain slaves therein named;

For the relief W. P. Spinks, late tax collector of Choctaw county;

For the relief of indigent families of volunteers in the several counties of this State;

To amend an act to authorize Dennis Springer to construct a turnpike across Sipsie river, approved Feb. 21st, 1860;

To change the manner of appointing overseers and apportioners of roads in Russell county, approved January 8, 1858;

In relation to debts due township 5, range 22, in Coffee county;

To require registers and receivers of public lands in this State, to receive in payment for lands entered the current notes of the banks of this State.

To prevent the sale of spirituous liquors within one mile of Mulberry Academy, in Bibb county;

To authorize the transfer of the estate of Margaret Burns, deceased, from Tallapoosa to Chambers county in this State.

The House concurs in the amendments of the Senate to the House bills—

For the relief of John P. Howard, jailor of Butler county;

To authorize John W. Posey and M. M. Posey to have voting privileges in Blount county;

To divorce Rebecca P. Bobbitt, and other persons therein named.

The House refuses to concur in the amendment to the House bill for the relief of Isaac J. Adams, jailor of Coosa county, and other persons therein named.

The House concurs in the resolution of the Senate appointing a joint committee to take into consideration the subject of the naturalization of foreigners, &c.

Messrs. Mason, Langdon, Lawler, Cabaniss and Jemison are the committee on the part of the House.

Mr. Reavis, from the Judiciary committee, reported adversely to the bill to suspend the collection of debts.

Mr. Stone moved to lay the report and bill on the table, a division of the question being called, the question was first taken on laying the report on the table; which was carried.

The question was then put on laying the bill on the table; which was carried. Yeas 20, Nays 11.

Yeas—Messrs. Barnes, Brewer, Calhoun, Cato, Clarke, Crump, Davis, Hammond, Harrison, Hill, Jewett, Ligon, Lewis Matthews, Moren, Reavis, Rice of Jackson, Rice of Montgomery, Toulmin and Walker—20.

Nays—Messrs. President, Coleman, Coman, Groce, Hardwicke, Heflin, Jackson, Jemison, Morgan, Stone and Wood—11.

On motion of Mr. Reavis,

Resolved, the House concurring, that the two Houses of the General Assembly will convene in the hall of the House on Friday 29th inst., for the purpose of electing two judges of the supreme court to fill the vacancies occasioned by the expiration of the term of A. J. Walker and G. W. Stone, and also a chancellor to fill the vacancy occasioned by the expiration of the term of John Foster.

By leave, Mr. Jemison introduced a bill to enlarge the jurisdiction of the probate court; which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Rice of Montgomery moved to reconsider the vote to lay on the table the bill granting lands, &c. to internal improvements, with the substitute; which was carried.

On motion of Mr. Rice of Montgomery, the substitute reported by the committee was laid on the table. Yeas 19, Nays 11.

Yeas—Messrs. President, Barnes, Calhoun, Cato, Coman, Crump, Davis, Hammond, Hardwicke, Heflin, Hill, Jemison, Ligon, Lewis, Matthews, Moren, Morgan, Rice of Montgomery, and Walker—19.

Nays—Messrs. Brewer, Clarke, Coleman, Groce, Harrison, Jackson, Jewett, Reavis, Stone, Toulmin and Wood—11.

Mr. Cato moved to lay the bill on the table, which was lost. Yeas 13, Nays 18.

Yeas—Messrs. Brewer, Cato, Clarke, Coleman, Groce, Hardwicke, Harrison, Jackson, Jewett, Reavis, Rice of Jackson, Stone and Wood—13.

Nays—Messrs. President, Barnes, Calhoun, Coman, Crump, Davis, Hammond, Heflin, Hill, Jemison, Ligon, Lewis, Matthews, Moren, Morgan, Rice of Montgomery, Toulmin and Walker—18.

Mr. Wood moved to amend as follows: That the grants, benefits and provisions of this act shall extend to the Savannah, Albany and Gulf Rail Road Company, and to the South Western Rail Road Company; which was laid on the table. Yeas 23, Nays 9.

Yeas—Messrs. Barnes, Brewer, Calhoun, Coleman, Crump, Davis, Hammond, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Jackson, Rice of Montgomery, Stone, Toulmin and Walker—23.

Nays—Messrs. President, Cato, Clarke, Coman, Groce, Hardwicke, Jackson, McIntyre and Wood—9.

Mr. Brewer moved to amend as follows: Provided that the rail roads which have heretofore received the odd sections under grants of public lands from the United States, shall not be entitled to receive the even sections or parts thereof in the same locality in which such rail roads have located, or have got the right to locate the odd sections granted as aforesaid.

Pending the consideration of which, Mr. Reavis, by leave, moved to refer the bill to regulate judicial proceedings, and

To prevent the productive energies of the country from being checked, and to make cotton available, to a select committee of five, with instructions to report separately by 10 o'clock to-morrow; which was carried.

Mr. President appointed Messrs. Reavis, Jemison, Rice of Montgomery, Barnes and Clarke the committee.

Mr. Brewer, from the committee on Enrolled Bills, reported the following bills as correctly enrolled.

For the benefit of the Soldiers' Home in the city of Montgomery, and for other purposes;

To establish a bank in the town of Gainesville to be called the Planters' Bank of Alabama;

To require the registers and receivers of public lands in

this State to receive in payment for lands entered the current notes of the government of the Confederate States, or of this State;

Authorizing the transfer of the estate of Margaret Burns, deceased, from Tallapoosa to Chambers county in this State;

To prevent the sale of spirituous liquors within one mile of Mulberry Academy in Bibb county;

In relation to tax assessors and tax collectors;

For the relief of indigent families of volunteers in the several counties of this State;

To repeal an act to change the manner of appointing overseers and apportioners of roads in Russell county, approved January 8th, 1850;

In relation to the estate of Catherine Cockburn;

In relation to debts due township 5, range 22, in Coffee county.

On motion of Mr. Calhoun,

The Senate adjourned until 9½ o'clock to-morrow morning.

FRIDAY, November 29, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Manly.

Upon the call of the districts, the following bills were introduced:

Mr. Brewer, a bill to amend the charter of the Southern Military Academy; which was read three times under a suspension of the constitutional rule, and passed.

Mr. Groce, a bill for the relief of Martha L. Carter of Montgomery county;

Mr. Jackson, a bill to abolish damages on bills of exchange; both of which were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

To amend an act to authorize Dennis Springer to construct a turnpike across Sipsie river approved Feb. 21, 1860;

For the relief of W. P. Spinks, late tax collector of Choc-taw county;

For the relief of certain slaves therein named;

To authorize the commissioners' court of Talladega county to levy a special tax, for purposes therein named.

Mr. Jemison, from the Select committee, to which was referred the bill to regulate judicial proceedings, reported

favorably thereon. The consideration of the report and bill was postponed and made the special order for to-morrow at 11 o'clock.

Mr. Barnes, from the same committee reported favorably to the bill to prevent the productive energies of the country from being checked, and to make cotton available, with the following amendment thereto:

Add at the end of the bill, as follows: That any person receiving the advances as aforesaid, shall have the right to pay off the note given by him on receiving the advance and interest up to the time of said payment in treasury notes of this State, and thus remove the lien on said cotton. That if the blockade is raised before any advance is made under this act, none shall be made after notice thereof; and after the blockade is raised, and notice thereof, no further advance shall be made under this act.

If any person shall remove or dispose of any cotton so advanced upon by the State as aforesaid, so as to affect the control of the State over it, or to embarrass the State in obtaining it, he shall be liable to indictment, and upon conviction thereof, shall suffer imprisonment in the State penitentiary not less than two years; provided that none of the provisions of this act shall apply to any cotton raised after the year 1861, nor to any cotton purchased or held on speculation, but shall extend to cotton taken *bona fide* in payment of debts by any person.

The amendment was adopted, and the further consideration of the bill postponed and made the special order for 11 o'clock to-morrow.

Mr. Wood moved to reconsider the vote by which the Senate rejected the bill to amend section 1056 of the Code, etc., which was lost. Yeas 14—nays 15.

Yeas—Messrs. President, Brewer, Clarke, Crump Groce, Hardwicke, Harrison, Hill, Jemison, Matthews, Moren, Morgan, Reavis and Wood.

Nays—Messrs. Barnes, Calhoun, Coleman, Coman, Davis, Hammond, Heflin, Jackson, Jewett, Ligon, Lewis, Rice of Montgomery, Stone, Toulmin and Walker.

Message from the House by Mr. Eason.

Mr. President:

The House has originated and passed the following bills:

To enlarge the jurisdiction of probate courts in certain cases;

To amend section 2235 of the Code;

To declare the effect of orders, judgments and decrees of the probate courts;

To protect the elective franchise in municipal elections in the city of Mobile;

For the benefit of Wm. Huggins, of Pike county;

For the relief of W. B. Livingston, jailor of Perry county;

To prevent the sale of spirituous liquors within one mile of Silver Run Church, in Russell county;

To authorize the commissioners' court of Choctaw county to make certain appropriations;

For the relief of F. Glackmeyer;

To repeal an act more effectually to secure and collect fines and forfeitures, and for other purposes, approved February 25, 1860;

To amend an act therein named;

To cause a registration of outstanding claims against the county of De Kalb.

The House has also passed the Senate bill to authorize the commissioners' court of Talladega county to levy a special tax, for the purposes therein named.

Has also amended and passed the Senate bill to make Tuscaloosa a military rendezvous for certain purposes.

The House concurs in the resolution of the Senate to bring on the election of two supreme court judges and a chancellor at 12 M. to-day.

Also concurs in the amendment of the Senate to the House bill to incorporate the Southern Salt Manufacturing Company.

Resolved, That a committee of three be appointed to act with a like committee on the part of the Senate to make arrangements for the inauguration of the Governor elect in pursuance of the resolutions adopted for that purpose.

Messrs. Stausel, Ashley and Ott are the committee on the part of the House.

The House has also originated and passed the following bills:

To prevent the vending of spirituous liquors within three miles of Friendship Church, in St. Clair county;

To continue the offices of commissioners and trustees, etc.;

To repeal a certain special road law for the counties of Conecuh and Monroe;

To authorize James Porter to erect a gate, etc.;

For the relief of Levi F. Warren and others;

To regulate election returns in this State;

To authorize the sale and distribution of the estate of Jas. Hamilton, deceased;

To suspend in part an act more effectually to secure rents in the city of Mobile, approved 30th January, 1840, until six months after the blockade is raised;

To amend section 1580 of the Code;

To legalize the imposition of taxes by the court of county commissioners for the equipment of volunteers and the support of their families.

On motion by Mr. Moren,

The House bill for the relief of W. B. Livingston, jailor of Perry county, was taken from the message from the House.

The bill was read three times under a suspension of the constitutional rule, and passed, and ordered forthwith to the House.

The Senate proceeded to the consideration of the bill to grant the right of way, etc., to railroads in this State, which was under consideration at the adjournment on yesterday.

The question pending being on the adoption of the amendment offered by Mr. Brewer,

Mr. Hill moved a substitute for the amendment as follows:

Be it further enacted, that the provisions of this act shall not apply to any road to which appropriations of public lands have been made by the General Government prior to this act.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the house, for the purpose of proceeding to the elections set for that hour.

The Senate repaired to the hall of the House, when the two Houses in convention proceeded to the election of a judge of the supreme court to fill the vacancy occasioned by the expiration of the term of A. J. Walker.

Mr. Rice of Montgomery nominated A. J. Walker.

Mr. Walker alone being in nomination, and having received one hundred and eighteen votes, it being the whole number cast, Mr. Speaker declared him duly elected a judge of the supreme court for the term prescribed by the constitution.

The convention then proceeded to the election of a judge of the supreme court, to fill the vacancy occasioned by the expiration of the term of G. W. Stone.

Mr. Reavis placed in nomination the name of G. W. Stone.

Mr. Stone alone being in nomination, and having received one hundred and nineteen votes, it being the whole number cast, Mr. Speaker declared him duly elected a judge of the supreme court for the term prescribed by the constitution.

The convention then proceeded to the election of a chancellor to fill the vacancy occasioned by the expiration of the term of service of John Foster.

Mr. Walker put in nomination John Foster.

Mr. Foster alone being in nomination, and having received one hundred and thirteen votes, it being all the votes cast, Mr. Speaker declared him duly elected a chancellor of the northern chancery division for the term prescribed by the constitution.

The business of the convention having been concluded, the Senate returned to its chamber, and resumed the consideration of the substitute for the amendment offered by Mr. Brewer to the bill granting right of way, etc., to railroads.

On motion of Mr. Rice of Montgomery, the amendment and substitute were laid on the table.

The special order for 12 o'clock being the bill to suspend the collection of the State taxes, etc., it was suspended, to dispose of the subject under consideration.

Mr. Brewer moved to amend as follows:

Sec. 6. Be it further enacted, that in consideration of the above donation of land, each of the said railroads above provided for by said donation is hereby required to transport free of any charge any and all munitions of war belonging to this State during the entire term of their respective charters, and also shall transport free of charge all Confederate or State troops during the present war.

The amendment was adopted.

Mr. Jemison moved to amend as follows: Strike out in section 3, all after the enacting clause down to and inclusive of the word "whatsoever," and insert as follows:

That the proceeds of all lands donated by this act shall be applied alone to purchasing iron rails, rolling stocks, chairs, &c., by the roads to which the same are granted. Nor shall any mortgage or other lien be given on said lands except for the purpose above specified, and the requirements shall form

a part of the condition of the bond given under the provisions of section 5 of this act.

The amendment was adopted.

Mr. Wood moved to amend as follows:

That the South Western Railroad Company shall be entitled to the odd sections in addition to the even sections granted in this act.

On motion of Mr. Morgan, the amendment was laid on the table. Yeas 17, nays 13.

Yeas—Messrs. President, Barnes, Calhoun, Coman, Crump, Hammond, Heflin, Jemison, Ligon, Matthews, Moren, Morgan, Reavis, Rice of Jackson, Rice of Montgomery, Toulmin and Walker—17.

Nays—Messrs. Brewer, Cato, Clarke, Coleman, Groce, Hardwicke, Harrison, Hill, Jackson, Jewett, Lewis, Stone and Wood—13.

Mr. Morgan moved the previous question, which was carried.

The question being on ordering the bill to a third reading, which was so ordered. Yeas 21, nays 10.

Yeas—Messrs. President, Barnes, Calhoun, Coleman, Coman, Crump, Davis, Hammond, Heflin, Hill, Jemison, Ligon, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Toulmin and Walker—21.

Nays—Messrs. Brewer, Cato, Clarke, Groce, Hardwicke, Harrison, Jackson, Jewett, Rice of Jackson and Wood—10.

Mr. Rice of Montgomery moved to suspend the consideration of the special order, it being the bill to suspend the collection of the State taxes, &c., in order to take up the message from the House.

Mr. Harrison moved to adjourn until 9½ o'clock to-morrow morning, which was lost. Yeas 5, nays 25.

Yeas—Messrs. Cato, Coman, Hammond, Harrison and Rice of Montgomery—5.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Heflin, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Matthews, Moren, Reavis, Rice of Jackson, Stone, Toulmin, Walker and Wood—25.

Mr. Brewer moved to adjourn until 7 o'clock, P. M., which was carried. Yeas 16, nays 13.

Yeas—Messrs. Barnes, Brewer, Calhoun, Cato, Coman, Crump, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Lewis, Rice of Jackson, Rice of Montgomery and Walker—16.

Nays—Messrs. President, Clarke, Coleman, Heflin, Jemison, Jewett, Ligon, Matthews, Moren, Reavis, Stone, Toulmin and Wood—13.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The question pending being the motion of Mr. Rice to suspend the consideration of the bill to suspend the collection of the State taxes, &c., for the purpose of taking up the House messages, which was carried.

The House bill, as amended by the Senate, for the relief of Isaac J. Adams, jailor of Coosa county, and other persons therein named, was laid on the table.

By leave, Mr. Groce introduced a bill for the relief of Fielding Love, jailor of Calhoun county;

Which was read three times under a suspension of the constitutional rule, and passed.

The Senate concurred in the amendments of the House to the bill to make Tuscaloosa and LaGrange, or its vicinity, a military rendezvous for certain purposes.

A message was received from the House announcing the adoption of joint resolutions in testimony of the ability, patriotism and fidelity of Andrew B. Moore, Governor of the State of Alabama.

The House bills—

To protect the elective franchise in municipal elections in the city of Mobile:

To amend the 14th section of an act to establish a hospital for insane persons in Alabama;

To amend the charter of the Alabama and Florida Railroad Company;

Requiring retailers to pay the same license that is paid in the city of Montgomery;

To prevent the sale of spirituous liquors within 3 miles of Scottsville, in Bibb county;

To relieve certain tax payers of Mobile;

To amend the charter of the Livingston Insurance Company;

To amend the charter of the city of Montgomery;

To authorize the removal of the administration of the estate of John D. Smith, deceased, from Mobile county to Wilcox county;

To authorize the court of probate of Madison county, to grant letters of administration upon the estate of Arthur A. Acklen, late of Lawrence county;

To prevent the sale of spirituous liquors within one mile of Silver Run Church, in Russell county;

To authorize the commissioners' court of Choctaw county to make certain appropriations;

To prevent the vending of spirituous liquors within three miles of Friendship Church and Academy, in the county of St. Clair;

To continue the office of commissioner and trustee, &c.;

To repeal a certain road law or laws for the counties of Conecuh and Monroe;

To authorize James Porter to erect gates, &c.;

To amend section 1580 of the code;

To legalize the imposition of taxes by the county commissioners for the equipment of volunteers and the support of their families;

Were severally read three times under a suspension of the constitutional rule, and passed.

Joint resolutions proposing amendments to the Constitution of the State in reference to the jurisdiction of justices of the peace;

Were read a first time and ordered to a second reading.

The House bills—

For the relief of Griffin White, jailor of Marion county;

For the relief of F. Glackmeyer of Montgomery county;

For the relief of Levi F. Warren and others;

For the relief of Wm. Higgins of Pike county;

Were severally read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The House bill to encourage the manufacture of cotton and wool cards in this State;

Was read twice under a suspension of the constitutional rule, and referred to the committee on Agriculture.

The House bill to authorize L. W. Trawick to erect gates across a public road, in Butler county;

Was read twice under a suspension of the constitutional rule, and referred to the committee on Roads, Bridges and Ferries.

The House bills—

To amend section 2235 of the code;

To declare the effect of orders, decrees and judgments of the probate courts;

To authorize the sale and distribution of the estate of James Hamilton, deceased;

To repeal an act more effectually to secure and collect fines and forfeitures, and for other purposes, approved February 25, 1860;

To enlarge the jurisdiction of the probate court in certain cases therein named;

Were severally read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

The House bill to amend an act therein named;

Was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The House bill to cause the registration of outstanding claims against the county of De Kalb, was read twice under a suspension of the constitutional rule.

Mr. Davis moved to amend by additional section, extending the provisions of the bill to the county of Covington; which was adopted, and the bill read a third time and passed.

The caption was amended by striking out "county" and inserting "counties," and after "De Kalb" adding "Covington."

The House bill regulating election returns in this State, was read twice under a suspension of the constitutional rule, and referred to the committee on Privileges and Elections.

The House bill to suspend in part an act entitled an act the more effectually to secure rents in the city of Mobile, approved 30th January, 1840, until six months after the blockade is raised, was read twice under a suspension of the constitutional rule, and referred to a select committee, as follows. Messrs. Toulmin, Clarke and Jackson.

The House resolution to appoint a committee of the Senate to act with a like committee on the part of the House to make arrangements for the inauguration of the Governor elect, was, on motion of Mr. Clarke, concurred in.

Mr. President appointed as the committee of the Senate, Messrs. Clarke, Groce and Hardwicke.

The joint resolution in testimony of the ability, patriotism and fidelity of Andrew B. Moore, Governor of the State of Alabama, was unanimously adopted.

Mr. Barnes offered the following resolution, which was adopted:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety and justice of the State of Alabama assuming and paying the different mail contractors

in this, after the secession of Alabama, until the Confederate government took control of the same, and report by bill or otherwise.

Mr. Walker offered the following resolution, which was adopted:

Resolved, That the committee on Finance and Taxation be instructed to inquire into the propriety of abolishing the office of Auditor of the Treasury, and report by bill or otherwise.

The Senate adjourned until 9½ o'clock to-morrow morning.

SATURDAY, November 30th.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Manly.

The resolution of the House with regard to the election of a Secretary of State on to-day was taken up.

The Senate refused to concur in the resolution.

A message^{re} was received from the House announcing the passage of the following bills:

To amend the law on the subject of town corporations;

To amend section 1023 of the Code in relation to runaway slaves;

To amend an act approved February 8th, 1858, to fix the mode of conveying the estate of husband and wife;

To repeal an act to compel the court of county commissioners of Marshall county to levy a special tax for the purpose of paying the grand and petit jurors;

To refund a certain sum of money;

To compensate J. W. Mathews and others;

To authorize the court of county commissioners to allow gates to be erected across public roads, in certain cases;

To cause justices of the peace in Coffee county to perform the duties of road apportioners, and for other purposes;

To amend the act to incorporate the Indian Creek Male and Female Academy, in Pike county, approved February 9, 1860;

To authorize the collection of the State tax assessed and accruing to the treasury during the fiscal year commencing 30th September, 1861, and ending 30th September, 1862, to be suspended, and providing for the deficit created thereby;

In relation to the Selma and Gulf Rail Road Company;

Also, the Senate bill to authorize the several banks therein named to suspend specie payments; with an amendment, as therein shown.

The amendment made by the House to the above bill was concurred in.

Upon the call of the districts, the following bills were introduced—

Mr. Cato, a bill to incorporate the East Alabama Insurance Company; which was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Also, a bill to organize and regulate the militia of the State of Alabama; which was read twice under a suspension of the constitutional rule, and referred to the committee on the Military.

Mr. McIntyre, a petition of J. T. Thomas to make him a citizen of Montgomery; which was referred to the committee on County Boundaries.

Mr. Rice, a bill to amend an act therein named; which was read three times under a suspension of the constitutional rule, and passed.

Also, a bill in relation to the lien of mechanics; which was read twice and referred to the committee on the Judiciary.

Mr. Hill, a bill to amend section 1056 of the Code, so far as Walker county is concerned; which was read twice.

Mr. Harrison moved to amend by inserting the county of Lowndes, which was adopted, and the bill referred to the Judiciary committee.

Mr. Rice of Montgomery, a bill to confer upon the bank of Montgomery the privileges and amendment of section 1375 of the Code by the late State Convention; which was read twice under a suspension of the constitutional rule, and referred to the committee on Banks and Banking.

Mr. Reavis, a bill in relation to the Free Banking Association; which was read twice under a suspension of the constitutional rule, and referred to the same committee.

On motion of Mr. Hammond,

Resolved; That the accompanying copy of an English Grammar, written by P. T. Henderson of the county of Madison, be referred to the committee on Education with instructions to examine the same, and report by bill or otherwise.

Mr. Hill, a bill in relation to certain public lands in this State; which was read twice and referred to the committee on public lands.

Mr. Stone offered a resolution in relation to the public

lands, which was adopted and referred to the committee on public lands.

Mr. Jewett offered a memorial, which was referred to the same committee.

On motion of Mr. Reavis,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency and propriety of repealing the act to provide for the preparation of a revised Code, and the act altering and amending said act, and of suspending the revision of the Code until the termination of the present war, with leave to report by bill or otherwise.

Mr. Clarke, a bill to discourage the production of cotton; which was read twice under a suspension of the constitutional rule, and referred to a select committee of five, as follows: Messrs. Clarke, Rice, Barnes, Jewett and Jackson.

Mr. McIntyre, a bill to encourage the manufacture of saltpetre, sulphur and gunpowder within the State of Alabama; which was read twice and referred to the committee on the Military.

On motion of Mr. Jewett,

Resolved, That the Judiciary committee be instructed to inquire if it be advisable to change sections 2032 and 2033 of the Code of Alabama, so as to enable persons who are or have been guardians of minors in this State, to remove the property of their wards when both the guardians and wards remove to another State.

Reports from committees were suspended in order to take from the orders of the day the bill to grant the right of way, earth, stone and timber to works of internal improvement. The bill was read a third time.

Mr. Jewett moved to amend by two additional sections, by way of engrossed ryder.

Mr. Rice of Montgomery moved the previous question, the question being, shall the main question be now put, was carried. Yeas 21, Nays 10.

Yeas—Messrs. President, Barnes, Calhoun, Clarke, Coleman, Coman, Crump, Davis, Hammond, Heflin, Jackson, Lewis, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, Stone, Toulmin and Walker—21.

Nays—Messrs. Brewer, Cato, Groce, Hardwicke, Harrison, Hill, Jamison, Jewett, Rice of Jackson, and Wood—10.

The bill passed. Yeas 19, Nays 12.

Yeas—Messrs. President, Barnes, Calhoun, Coleman, Coman, Hammond, Heflin, Jackson, Jamison, Lewis, Matthews,

Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, Stone, Toolmin and Walker—19.

Nays—Messrs. Brewer, Cato, Clarke, Crump, Davis, Groce, Hardwicke, Harrison, Hill, Jewett, Rice of Jackson, and Wood—12.

On motion of Mr. Clarke, the bill for the benefit of the Military Aid Society of Mobile was taken from the message of the House. The bill was read three times under a suspension of the constitutional rule, and passed. Ordered forthwith to the House.

Mr. Hammond, from the committee on Propositions and Grievances, reported adversely to the petition of sundry citizens of Chambers county, in regard to the distillation of spirits from grain. The report was concurred in.

Mr. Jewett, from the committee on Public Lands, in accordance with resolutions of instruction, reported a bill in relation to the location of bounty land warrants; which was read three times under a suspension of the constitutional rule, and postponed until Wednesday next at 12 o'clock M.

Mr. Wood, from the committee on Roads, Bridges and Ferries, reported favorably to the bills—

To authorize L. W. Trawick to erect gates across a public road in Butler county; and

To amend an act therein referred to; both of which were severally read a third time and passed.

Mr. Rice of Montgomery, from the committee on the Judiciary, reported a substitute for the bill to authorize the commissioners' courts of this State to grant the right of way to persons and corporations. The substitute was adopted, and the bill read a third time and passed.

The caption was amended so as to read, "a bill in relation to private roads."

Mr. Keavis, from the same committee, reported a substitute, for the bill for the benefit of the minor heirs of S. A. Watts. The substitute was adopted, and the bill read a third time and passed.

The caption was amended so as to read, "a bill to amend section 2225 of the Code."

Mr. Barnes, from the committee on Privileges and Elections, reported favorably to the bill to regulate election returns in this State. The bill was read a third time and passed.

Mr. Barnes, from the committee on Corporations, reported favorably to the bill to incorporate the Confederate States Express Company, with the following amendment: After

the words "or in existence," in the 6th section, insert the words, "or any other person or persons whatsoever." The amendment was adopted.

Mr. McIntyre moved to amend as follows: Sec. — Be it further enacted, that the stockholders of said corporation shall be personally and individually liable in all cases in which they would be liable as partners.

On motion of Mr. Jemison, the amendment was laid on the table.

Mr. Rice of Montgomery moved to amend as follows: Provided, however, that each stockholder in the company created or chartered by this act, shall be liable out of his individual property for all causes of action of every kind against said company, for an amount equal to the amount of his stock in said company.

Mr. Jemison moved to lay the amendment on the table; which was lost. The amendment was adopted and the bill read a third time and passed.

Mr. Barnes, from the Judiciary committee, reported adversely to the bill to authorize volunteers to vote in a certain election in De Kalb county.

The report was concurred in.

Also, favorably to the bill to extend the jurisdiction of the probate court.

The bill was read a third time, and passed.

Also, adversely to the bill to enlarge the jurisdiction of the probate court.

On motion by Mr. Reavis, the bill and report were laid on the table.

Mr. Clarke, from the Military committee, to whom was referred the report of the adjutant and inspector general of the State, reported that the major generals of the following divisions of the militia of the State, to wit: 1, 3, 7, 8, 9, 10, 11 and 15, are in default of their "annual returns." That when such default is made, it is the duty of the adjutant general to notify the Governor thereof, that such defaulters may be prosecuted, as provided for in the Military Code, page 16, section 4, and that said committee have no evidence of the discharge of this duty by such officer. All of which said committee respectfully submit for the consideration of the Senate.

The report was concurred in.

Mr. Toulmin, from the committee on Military Affairs, reported favorably to the House bills—

To amend section 7, chapter 4, of the Military Code of Alabama;

To suspend section 21, chapter 12, of the Military Code of Alabama;

Both of which were severally read a third time, and passed.

Also, favorably to the House bill to facilitate the equipment of volunteers and for the purchase of arms.

Mr. Cato moved to suspend the consideration of the report to allow him to introduce a bill.

On motion of Mr. Clarke, the motion of Mr. Cato was laid on the table.

Mr. Hardywicke moved to amend as follows:

Provided, no commissioner shall be entitled to more than one thousand dollars for twelve months' service under the provisions of this act.

Mr. Calhoun moved that the bill reported and amendment be referred to a select committee of five.

Mr. Reavis moved to lay the motion on the table; which was lost.

The motion of Mr. Calhoun was carried, and the bill was referred to a committee composed of Messrs. Calhoun, Jemison, Stone, Reavis and Barnes.

Mr. Matthews, from the committee on Agriculture, reported favorably to the bill to encourage the manufacture of cotton and wool cards in this State.

The bill was read a third time, and passed.

Mr. Brewer, from the committee on Enrolled Bills, reported as correctly enrolled the act to authorize the several banks therein named to suspend specie payments.

A message was received from the Governor by his Private Secretary, Mr. Albright.

Mr. President:

The Governor has approved the following bills, which originated in the Senate:

Authorizing the transfer of the estate of Margaret Burns, deceased, from Tallapoosa to Chambers county in this State;

For the benefit of the Soldiers' Home in the city of Montgomery, and for other purposes;

To establish a bank in the town of Gainesville to be called the Planters' Bank of Alabama;

To require the registers and receivers of public lands in this State to receive in payment for lands entered the cur-

rent notes of the banks of this State, the treasury notes of the government of the Confederate States, and those of this State;

For the relief of W. P. Spinks, late tax collector of Choctaw county;

In relation to tax assessors and tax collectors;

To prevent the sale of spirituous liquors within one mile of Mulberry Academy in Bibb county;

To repeal an act to change the manner of appointing overseers and apportioners of roads in Russell county, approved January 8th, 1850;

For the relief of indigent families of volunteers in the several counties of this State;

For the relief of certain slaves therein named;

To amend an act to authorize Dennis Springer to construct a turnpike across Sipsie river, approved February 21, 1860;

To authorize the commissioners' court of Talladega county to levy a special tax, for purposes therein named.

In relation to debts due township 5, range 22, in Coffee county.

In relation to the estate of Catherine Cockburn.

Mr. Jackson moved that the Senate adjourn until 9½ o'clock, Monday morning, which was lost.

Mr. McIntyre moved to adjourn until Monday morning, 9 o'clock, which was lost. Yeas 12—nays 14.

Yeas—Messrs. Barnes, Clarke, Groce, Harrison, Heflin, Jackson, Jewett, Matthews, Moren, McIntyre, Rice of Jackson and Toulmin.

Nays—Messrs. President, Calhoun, Cato, Crump, Davis, Hammond, Hardwicke, Hill, Jemison, Morgan, Reavis, Stone, Walker and Wood.

Mr. Calhoun moved to adjourn until 7 o'clock, p. m., which was carried.

Yeas—Messrs. President, Barnes, Calhoun, Cato, Crump, Davis, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Jemison, Jewett, Matthews, Morgan, Reavis, Stone, Walker and Wood—20.

Nays—Messrs. Clarke, Heflin, Moren, McIntyre, Rice of Jackson, and Toulmin—6.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The following House bills were severally read three times

under a suspension of the constitutional rule, and passed :

To authorize the court of county commissioners to allow gates to be erected across public roads in certain cases;

To amend the law upon the subject of town corporations ;

To amend an act to incorporate the Indian Creek Male and Female Academy in Pike county, approved February 9, 1860 ;

To repeal an act to compel the court of county commissioners of Marshall county to levy a special tax for the purpose of paying the grand and petit jurors ;

To refund a certain sum of money.

The House bill in relation to the Selma and Gulf Railroad Company was read twice under a suspension of the constitutional rule.

Mr. Hardwicke moved to amend as follows :

Provided, the State shall in no case be held liable to any railroad company who may hereafter be entitled to the same under the law now in force.

On motion of Mr. Cato, the bill and amendment were referred to a select committee of five.

The President appointed as the committee Messrs. Calhoun, Clarke, Harrison and Jemison.

The House bill to cause justices of the peace in Coffee county to perform the duties of road apportioners and for other purposes, was read once, and ordered to a second reading.

The House bill to compensate W. J. Matthews and others was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The House bills—

To amend section 1023 of the Code, in relation to runaway slaves ;

To amend an act, approved February 8, 1858, to fix the mode of conveying the estates of husband and wife ;

Were read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

The House bill to authorize the collection of the State tax assessed and accruing to the treasury during the fiscal year commencing 30th Sept., 1861, and ending 30th Sept., 1862, to be suspended, and providing for the deficit caused thereby, was read twice under a suspension of the constitutional rule.

Mr. Jemison moved to amend as follows—add at the end of section 6, the following :

*“And on failure to do so he shall be guilty of a misde-

meanor, and on conviction thereof shall be fined in any sum the jury trying the same may assess.

The amendment was adopted.

Mr. Jemison moved to dispense with the constitutional rule to give the bill a third reading forthwith.

Mr. Rice of Montgomery moved to adjourn until Monday morning 15 minutes past 9 o'clock, which was lost. Yeas 8, nays 17.

Yeas—Messrs. Barnes, Cato, Harrison, Jackson, Jewett, Moren, Rice of Jackson and Rice of Montgomery—8.

Nays—Messrs. President, Calhoun, Clarke, Coman, Crump, Groce, Hammond, Hardwicke, Heflin, Hill, Jemison, Lewis, Morgan, Reavis, Stone, Walker and Wood—17.

Mr. Heflin moved to adjourn until Monday morning 10 o'clock, which was carried. Yeas 14, nays 12.

Yeas—Messrs. Barnes, Calhoun, Cato, Crump, Davis, Groce, Harrison, Heflin, Hill, Jackson, Jewett, Moren, Rice of Jackson and Rice of Montgomery—14.

Nays—Messrs. President, Clarke, Coman, Hammond, Hardwicke, Jemison, Lewis, Morgan, Reavis, Stone, Walker and Wood—12.

The Senate stood adjourned until Monday morning 10 o'clock.

MONDAY, December 2, 1861

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Manly.

Upon the call of the districts, the following bills were introduced:

Mr. Calhoun, a bill to transfer the executorship of Robert Craig, deceased, from the probate court of Sumter county to the probate court of Dallas county;

Also, a bill to incorporate the Selma Chamber of Commerce;

Mr. Reavis, a bill for the relief of Georgia Ann Wood, late of Covington, now of Choctaw county;

Mr. Clarke, a bill to amend the law in relation to public roads in the county of Marengo.

All of which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Moren, a bill to amend the charter of the town of Marion, in Perry county; which was read twice under a suspension of the constitutional rule.

Mr. Morgan moved to amend by additional section, as sec-

tion 5, which was adopted, and the bill read a third time and passed.

Mr. Barnes, a bill in relation to the Opelika and Oxford Railroad Company; which was read twice and referred to a select committee, as follows: Messrs. Cato, Clarke, Harrison and Jemison.

Mr. Walker, a bill to appropriate the balance of the 3 per cent. fund now in the treasury of the State;

Which was read twice and referred to the committee on Internal Improvements.

Mr. Clarke, a bill to amend the act, approved February 8, 1861, entitled an act to regulate judicial proceedings, and for other purposes;

Which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Clarke, from the joint committee to make arrangements for the inauguration of the Governor elect, reported that the inauguration would take place in the hall of the House of Representatives at 12 o'clock, M., this day.

The procession will be formed at 11 o'clock, A. M., on Market street, the right resting in front of Montgomery Hall, and proceed to the Capitol in the following order:

1. Music.
2. Military escort, commanded by Col. John F. Conoley.
3. The Governor elect, the retiring Governor and Chaplain.
4. Gentlemen of the committee on Ceremonies of Inauguration.
5. Governors of the several Confederate States.
6. Judges of the Supreme Court and Circuit Courts of Alabama.
7. Officers of the several State Departments.
8. Officers of the several Confederate States, civil and military.
9. Ministers of the Gospel.
10. Citizens generally in carriages.
11. Citizens generally on foot.

The whole under command of Gen. H. P. Watson, Marshal, with such assistants as he may appoint.

W. E. CLARKE, Senate Com.

M. L. STANSEL, House "

The report was concurred in.

Message from the House by Mr. Eason.

Mr. President :

The House has passed the following Senate bills :

In relation to the banks of Alabama ;

To exempt the several counties in this State from imposing the tax for the support of the indigent families of volunteers in certain cases ;

To authorize the comptroller to draw his warrant on the treasurer in favor of tax collectors in certain cases, and for other purposes ;

Has amended the Senate bill to amend section 672 of the Code ;

And has rejected the bill to amend section 1576 of the Code.

The House has originated and passed the following bills :

To provide compensation to Col. J. W. Echols for services rendered in purchasing stores and provisions for the troops of this State ;

To exempt from military and road duty all persons employed by Horace Ware in manufacturing iron, and all other persons similarly engaged ;

To enable Pleasant May to remove the personal property of his wards out of the county of Greene, &c. ;

To divorce Cornelius C. Latham from his wife Margaret Louisa Latham ;

To exempt from taxation a certain amount of property of volunteers, and the widows of deceased volunteers ;

To prohibit the sale of spirituous liquors within two miles of Bethel Church, in Jefferson county ;

To incorporate the Mobile Merchants' and Traders' Depository.

Mr. Brewer, from the committee on Enrolled Bills, reported as correctly enrolled the bill—

To exempt the several counties of this State from imposing a tax for the support of families of volunteers in certain cases.

Message from the Governor by his Private Secretary, Mr. Albright, announcing that the Governor had approved the following Senate bill :

To authorize the several banks therein named to suspend specie payments.

Also, the following message in relation to the waste and unappropriated lands in this State :

To the Senate and

House of Representatives of the State of Alabama :

GENTLEMEN :

By an act entitled "an act for the sale of the swamp and overflowed lands of the State of Alabama, and for other purposes," approved Feb. 8th, 1861, the Governor was authorized and required to appoint five commissioners to fix and determine the price of said lands, and report the same to him or such other officer as may have the public lands in charge, &c.

Afterwards, on the 20th March, 1861, an ordinance was adopted by the State Convention, the second section of which declares that all land selected by said commissioners as swamp and overflowed lands, but for which no patents were issued by the United States to this State, are hereby declared to be public lands of the State, and subject to disposal under the laws prescribed for the sale and disposal of other public lands of the State.

As no patents have been issued for any part of the lands selected by the agents appointed for that purpose, all the lands selected by virtue of this ordinance become public lands, and subject to sale as other public lands.

The act of the Legislature already referred to, of 8th Feb., 1861, directed a different mode of selling said lands, the ordinance being of later date and from the supreme power of the State, must control the act of the Legislature.

This being true, and it also being true, that no patents have been issued for any part of said lands, they become public lands of the State, and not liable to be sold as prescribed by the act of the Legislature.

I deem it therefore unnecessary to appoint commissioners as required by said act. For a full understanding of the subject, I refer you to the acts of the 24th Feb., 1860, the 8th Feb., 1861, and the said ordinance of the Convention of 20th March, 1861. By said ordinance the Governor was authorized and required to rescind the contract with the commissioners to select the swamp and overflowed lands, with their consent.

As no fund was provided by said ordinance, out of which to pay the commissioners, I made no proposition to settle with them, further legislation being necessary on the subject. I lay before you herewith a certain proposition in writing from the commissioners as a basis of settlement between them and the State.

One part of this proposition is impracticable, so long as

said ordinance stands unrepealed. The commissioners propose that the lands selected by them be sold as provided for in the act of 8th Feb., 1861, and that they be paid out of the proceeds of such sale for their services according to their contract. By this contract the commissioners are to receive 20 per cent. of the net proceeds of said lands after the sale thereof.

This is their proposition now submitted, and that the sale be made under the act of the 8th Feb., 1861. The ordinance of the convention of 20th March, 1861, repeals this act, and of course the lands could only be sold as other public lands are required to be sold.

If the commissioners are to be paid out of the proceeds of the sales of said lands, then an act should be passed authorizing the commissioners of public lands to do so. If, however, they are to be paid by money drawn from the treasury, then an appropriation should be made for that purpose.

Respectfully,

A. B. MOORE.

The Senate took a recess for twenty-five minutes.

At twenty minutes before 12, the Senate was called to order.

A message was received from the House by Mr. Clithèrall, inviting the Senate into the hall of the House for the purpose of participating in the inauguration of the Governor elect.

Thereupon, the Senate repaired to the hall of the House of Representatives, when the two houses in accordance with the arrangements of the joint committee, repaired to the front of the Capitol and escorted the Governor into the hall of the House, when after prayer by the Rev. Dr. Manly, the Governor delivered his inaugural address, and in the presence of the two houses the oath of office was administered to him by the Speaker of the House of Representatives.

The Senate returned to its chamber, and adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

By leave, Mr. Reavis moved that a committee of three be appointed to wait upon the Governor and request a copy of his inaugural address, and if granted, that the committee have printed one thousand copies for the use of the Senate.

The motion was carried.

Messrs. Reavis, Ligon and Hammond were appointed the committee.

Mr. Calhoun, from a select committee, reported a substitute for the House bill to facilitate the equipment of volunteers, and for the purchase of arms.

Mr. Rice of Montgomery moved to amend as follows:

Provided, however, that for any equipments or any other thing that may be furnished to any soldier or volunteer by the Governor under this act, the Governor shall take or cause to be taken the most proper and available mode to secure compensation to this State, out of the commutation money of such soldier or volunteer.

Mr. Hill moved to refer the bill and amendment to a select committee, which was lost.

The amendment was adopted.

Mr. Jackson moved to recommit the bill to the committee reporting, which was lost.

The substitute was adopted, and the bill read a third time and passed.

On motion of Mr. Cato, the further consideration of the special orders was postponed for the purpose of considering the message of the House.

The first in order being the bill for the relief of William Johnson and other tax collectors, as amended by the House.

The question being on concurring in the amendment,

Mr. Hardwicke moved to amend the amendment by inserting after the word "pending," in the 5th line of the 1st section, and also after the word "pending," in the 7th line of the same section, the words "or in which judgment has been rendered," which was adopted.

Mr. Walker moved to strike out the 2d section, which was carried.

The House amendment as amended was concurred in.

Mr. Clarke, from a select committee, reported favorably to the bill to discourage the production of cotton, with the following amendments: Strike out "ten," in the 1st line of section 1, and insert "five" in lieu thereof. Also, strike out "Tennessee," where it occurs in the 10th section.

The amendments were adopted.

Mr. Jemison moved to amend by inserting "Florida" in lieu of "Tennessee," stricken out. Carried.

Mr. Cato moved to insert "N. Carolina" after the word "Texas," in the 10th section.

On motion of Mr. Jemison, the amendment was laid on the table.

Mr. Calhoun moved to amend as follows:

By adding after the word "Texas," in the 10th section, "or any five of them including Mississippi," which was adopted, the bill read a third time and passed. Yeas 23, nays 6.

Yeas—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Crump, Davis, Hammond, Hardwicke, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Reavis, Rice of Jackson, Rice of Montgomery, Stone, Toulmin, Walker and Wood—23.

Nays—Messrs. Cato, Groce, Harrison, Heflin, Morgan and Moren—6.

Mr. Toulmin, from select committee, reported favorably to the bill to suspend in part an act the more effectually to secure the collection of rents in the city of Mobile, approved January 30th, 1840, until six months after the blockade is raised.

The bill was read a third time and passed.

The caption was amended by striking out the words "until six months after the blockade is raised."

The Senate adjourned until 9½ o'clock to-morrow morning.

TUESDAY, December 3, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Manly.

Mr. Calhoun moved to reconsider the vote by which the bill was passed to discourage the production of cotton.

Mr. Rice of Montgomery moved to lay the motion on the table, which was carried. Yeas 19, nays 9.

Yeas—Messrs. President, Barnes, Clarke, Coleman, Crump, Davis, Hammond, Hardwicke, Hill, Jackson, Jewett, Ligon, Lewis, Matthews, Rice of Montgomery, Stone, Toulmin and Walker—19.

Nays—Messrs. Calhoun, Groce, Harrison, Heflin, Jemison, Moren, Morgan, Reavis and Wood—9.

Upon the call of the districts the following bills were introduced:

Mr. Reavis, for the relief of R. A. Moody and others;

Mr. Calhoun, to legalize the proceedings of the Governor in supplying the volunteers of Alabama with clothing;

Mr. Moren, to impose a tax on liquor distilled from grain;

Mr. Jemison, to authorize a reference to arbitration in certain cases.

All of which were read twice under a suspension of the

constitutional rule, and referred to the Judiciary committee.

Mr. Jemison, a bill to amend and explain an act making Tuscaloosa and La Grange and its vicinity a military rendezvous for certain purposes, approved — , which was read twice under a suspension of the constitutional rule.

On motion of Mr. Jemison, the bill was laid on the table.

Mr. Hill, a bill to amend the charter of the Jasper Male and Female Academy, and for other purposes.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Hill moved to reconsider the vote by which was passed the bill to amend the charter of the Jasper Male and Female Academy, and for other purposes, which was carried.

Moved to amend the vote ordering the same to a third reading, and carried.

Mr. Hill moved to amend as follows :

After the word "medical," in the 4th line of the second section, and the 8th line of the second section, add the words "or sacramental."

The amendment was adopted, and the bill read a third time, and passed.

Mr. Rice of Montgomery, from the Judiciary committee, reported favorably to the bill for the relief of Mrs. Martha M. Carter, of Montgomery county.

Mr. Barnes moved to amend as follows :

At the end of the first and only section of the bill add these words, to wit: "and Mary C. Easton, wife of Mims B. Easton, residents of Pike county."

The amendment was adopted, and the bill read a third time, and passed.

The caption was amended so as to read as follows :

"A bill for the relief of Mrs. Martha L. Carter, of Montgomery, and Mrs. Mary C. Easters, of Pike county."

Mr. Toulmin, from the Military committee, reported as follows :

The Military committee, to whom was referred a bill to exempt militia officers from uniforming, have considered the same, and report that it is inexpedient to pass the bill, as one upon the same subject has already been passed.

The report was concurred in.

Mr. Hill, from the committee on County Boundaries, reported as follows :

The committee on County Boundaries, to whom was referred a petition of J. T. Thomas, of Pike county; asking to be made a citizen of Montgomery county, have had the same

under consideration, and report that it is inexpedient to grant the prayer of the petitioner.

The House bills—

To provide compensation to Col. J. W. Echols for services rendered in purchasing stores and provisions for the troops of the Statd, was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

To exempt from military and road duty all persons employed by Horace Ware in manufacturing iron, and all other persons similarly engaged, was read twice under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

To enable Pleasant May to remove the personal property of his wards out of the county of Green, and to rent land on which to employ it, was read three times under a suspension of the constitutional rule, and passed.

Mr. Calhoun moved to reconsider the vote by which the Senate passed the bill to incorporate the Selma Chamber of Commerce, which was carried.

Also, to lay the bill on the table, which was adopted.

Mr. Calhoun moved to postpone the consideration of the special orders, to get through with the message from the House.

The Senate refused to postpone.

On motion of Mr. Jemison, the special orders were postponed, to take up the bill to suspend the collection of taxes, etc. Yeas 16—nays 12.

Yeas — Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Coman, Groce, Hammond, Hill, Jemison, Ligon, Morgan, Reavis, Stone and Toulmin.

Nays—Messrs. Crump, Davis, Hardwicke, Harrison, Heflin, Jackson, Matthews, Moren, Rice of Jackson, Rice of Montgomery, Walker and Wood.

Mr. Jemison moved to lay the Senate bill on the table, and take up the House bill, which was carried.

The question pending being the motion by Mr. Jemison at the adjournment on Saturday night, to dispense with the rule in order to give the bill a third reading, Mr. Jemison withdrew his motion.

Mr. Jemison moved to amend as follows:

Insert after the word "banks," in the last line of section three the words "or other sources."

The amendment was adopted.

Mr. Rice of Montgomery moved to adjourn until 7 p. m., which was lost. Yeas 10—Nays 18.

Yeas—Messrs. Crump, Groce, Hardwicke, Harrison, Jewett, Ligon, Matthews, Moren; Rice of Montgomery and Wood.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Coman, Davis, Hammond, Heflin, Hill, Jackson, Jemison, Morgan, Reavis, Stone, Toulmin and Walker.

Fifteen minutes having elapsed, Mr. Rice of Montgomery moved to adjourn until 9 to-night, which was lost. Yeas 12—nays 17.

Yeas—Messrs. Crump, Groce, Hammond, Hardwicke, Harrison, Hill, Ligon, Matthews, Moren, Rice of Jackson, Rice of Montgomery and Wood.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Coman, Davis, Heflin, Jackson, Jemison, Jewett, Morgan, Reavis, Stone, Toulmin and Walker.

Mr. Rice of Montgomery moved to suspend the consideration of the bill until 11 o'clock to-morrow.

Mr. Reavis moved the previous question.

Mr. Rice's motion, having the precedence, was first put and lost. Yeas 13—nays 16.

Yeas—Messrs. Brewer, Crump, Groce, Hardwicke, Harrison, Hill, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coleman, Coman, Davis, Hammond, Heflin, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker.

The question then recurred on the motion of Mr. Reavis for the previous question, which was carried. Yeas 15—nays 14.

Yeas—Messrs. President, Calhoun, Clarke, Coman, Crump, Hammond, Heflin, Jackson, Jemison, Jewett, Ligon, Reavis, Stone, Toulmin and Walker.

Nays—Messrs. Brewer, Coleman, Davis, Groce, Hardwicke, Harrison, Hill, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
December 3, 1861. }

Mr. President:

The House has originated and passed the following bills:
To incorporate the Selma Chamber of Commerce;

To incorporate the³ South Alabama Presbyterian Male Academy, at Lower Peach Tree, in Wilcox county, Alabama;

To enable the court of county commissioners of Green, Autauga and Sumter counties to appoint overseers and apportioners of public roads in said counties over the age of 18 and under the age of 60;

To regulate the sale of spirituous liquors in the Danville district of Morgan county, Alabama;

To encourage the manufacture of fire arms and munitions of war in this State.

Was amended and passed, the Senate bill to amend section 2033 of the Code.

Mr. Rice of Montgomery moved to adjourn until 7 p. m., which was lost. Yeas 11, Nays 18.

Yeas—Messrs. Crump, Groce, Hill, Harrison, Jewett, Ligon, Matthews, Morgan, Rice of Jackson, Rice of Montgomery, and Wood—11.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Coman, Davis, Hammond, Hardwicke, Heflin, Jackson, Jemison, Moren, Reavis, Stone, Toulmin and Walker—18.

Mr. Rice of Montgomery moved to postpone the further consideration of the bill until 7 p. m.

Mr. President decided the motion out of order.

Mr. Moren moved to adjourn until 9 $\frac{1}{4}$ to-morrow morning.

Mr. Crump moved 7 p. m.

Mr. Morgan moved 7 $\frac{1}{2}$ p. m.

The question was first taken on the motion of Mr. Moren, and lost. Yeas 10, Nays 19.

Yeas—Messrs. Brewer, Coleman, Groce, Harrison, Matthews, Morgan, Rice of Jackson, Rice of Montgomery, and Wood—10.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coleman, Coman, Davis, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Lewis, Ligon, Reavis, Stone, Toulmin and Walker—19.

The question recurred on Mr. Crump's motion, which was lost. Yeas 11, Nays 16.

Yeas—Messrs. Crump, Groce, Harrison, Hardwicke, Hill, Jewett, Matthews, Morgan, Rice of Jackson, Rice of Montgomery and Wood—11.

Nays—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coman, Hammond, Heflin, Jackson, Jemison, Ligon, Moren, Reavis, Stone, Toulmin and Walker—16.

The question recurred on Mr. Morgan's motion, which was lost. Yeas 13, Nays 14.

Yeas—Messrs. Brewer, Crump, Groce, Hardwicke, Harrison, Hill, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—13.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Hammond, Heflin, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—14.

Mr. Rice of Montgomery moved to postpone the further consideration of the bill until Thursday next.

The President decided the motion out of order.

Mr. Rice of Montgomery claimed the right under the 8th rule of the Senate, to make the motion to postpone to a day certain, and appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate, was decided in the affirmative. Yeas 20, Nays 6.

Yeas—Messrs. Barnes, Calhoun, Clarke, Coleman, Coman, Davis, Groce, Hammond, Hardwicke, Heflin, Jackson, Jemison, Jewett, Matthews, Moren, Morgan, Reavis, Stone, Toulmin and Walker—20.

Nays—Messrs. Brewer, Crump, Harrison, Rice of Jackson, Rice of Montgomery and Wood—6.

Mr. Rice of Montgomery moved to adjourn until 9½ tomorrow morning.

Mr. Morgan moved to amend the motion by inserting 5 o'clock, P. M.

The question was first taken on Mr. Rice's motion; which was lost. Yeas 8, Nays 20.

Yeas—Messrs. Brewer, Coleman, Groce, Matthews, Moren, Rice of Jackson, Rice of Montgomery and Wood—8.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Crump, Hammond, Hardwicke, Harrison, Heflin, Hill, Jackson, Jemison, Jewett, Ligon, Morgan, Reavis, Stone, Toulmin and Walker—20.

The question recurred on Mr. Morgan's motion, which was lost. Yeas 14, Nays 15.

Yeas—Messrs. Brewer, Coleman, Crump, Groce, Harrison, Hardwicke, Hill, Jewett, Matthews, Moren, Rice of Jackson, Rice of Montgomery and Wood—14.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Heflin, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—15.

Mr. Rice of Montgomery moved to lay the bill on the table.

Mr. President decided the motion out of order.

Mr. Rice appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate, was decided in the affirmative. Yeas 22, Nays 5.

Yeas—Messrs. Barnes, Calhoun, Clarke, Coleman, Coman, Davis, Groce, Hammond, Hardwicke, Heflin, Jackson, Jemison, Jewett, Ligon, Matthews, Moren, Morgan, Reavis, Stone, Toulmin and Walker—22.

Nays—Messrs. Brewer, Crump, Rice of Jackson, Rice of Montgomery and Wood—5.

Mr. Rice moved to indefinitely postpone the consideration of the bill.

Mr. President decided the motion out of order.

Mr. Rice appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate, was decided in the affirmative. Yeas 24, Nays 2.

Yeas—Messrs. Barnes, Brewer, Calhoun, Clarke, Coleman, Coman, Crump, Davis, Groce, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Jewett, Ligon, Matthews, Morgan, Reavis, Stone, Toulmin and Walker—24.

Nays—Messrs. Rice of Jackson and Rice of Montgomery—2.

Mr. Rice of Montgomery moved to reconsider the vote adopting the amendment of Mr. Jemison.

Mr. President decided the motion out of order.

Mr. Rice appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate, was decided in the affirmative. Yeas 21, Nays 3.

Yeas—Messrs. Barnes, Brewer, Calhoun, Clarke, Coman, Davis, Groce, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Ligon, Matthews, Moren, Morgan, Reavis, Stone, Toulmin and Walker—21.

Nays—Messrs. Jewett, Rice of Jackson and Rice of Montgomery—3.

Mr. Morgan moved to adjourn until 9½ o'clock to-morrow morning.

Mr. Rice of Montgomery moved 7½ P. M.

Mr. Moren moved 5½ P. M.

The question was first taken on Mr. Morgan's motion, which was lost. Yeas 11, Nays 17.

Yeas—Messrs. Brewer, Crump, Groce, Harrison, Jewett,

Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—11.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—17.

The question recurred on Mr. Rice's motion, which was lost. Yeas 13, Nays 15.

The question recurred on Mr. Moren's motion, which was lost. Yeas 13, Nays 14.

Yeas—Messrs. Brewer, Crump, Groce, Hardwicke, Hill, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—13.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Heflin, Jackson, Jemison, Jewett, Reavis, Stone, Toulmin and Walker—15.

Mr. Brewer raised the point of order that several Senators voted outside the bar.

Mr. President decided the point not well taken.

Mr. Brewer appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate. The chair was sustained in its decision.

Mr. Moren moved to adjourn until 15 minutes past 9 o'clock to-morrow morning, which was lost. Yeas 11, Nays 16.

Yeas—Messrs. Crump, Groce, Harrison, Hill, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—11.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—16.

At 10 minutes before 4 o'clock, Mr. Rice of Montgomery moved a call of the Senate.

The question being, shall there be a call of the Senate under rule 30, as decided by the chair, was lost. Yeas 9, Nays 17.

Yeas—Messrs. Crump, Harrison, Hill, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—9.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Jackson, Jemison, Jewett, Ligon, Reavis, Stone, Toulmin and Walker—17.

Mr. Matthews asked leave of absence for the remainder of the day; which was granted.

Mr. Rice of Montgomery asked for leave of absence for Mr. Walker; which was refused. Yeas 2, Nays 17.

Yeas—Messrs. Morgan and Rice of Montgomery.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Groce, Hardwicke, Harrison, Heflin, Jackson, Jewett, Ligon, Moren, Reavis, Rice of Jackson, Toulmin and Walker—19.

Mr. Rice of Montgomery moved to send for absent Senators.

Mr. President decided the motion out of order.

Mr. Morgan moved to adjourn until 9½ o'clock to-morrow morning.

Mr. Calhoun moved to amend by inserting 7 o'clock p. m.

Mr. Rice of Montgomery moved 9 o'clock to-morrow morning.

The question was taken on Mr. Morgan's motion, which was lost. Yeas 9, Nays 17.

Yeas—Messrs. Crump, Groce, Harrison, Jewett, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—9.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—17.

The question recurred on Mr. Rice's motion, which was lost. Yeas 9, Nays 17.

Yeas—Messrs. Crump, Groce, Harrison, Jewett, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—9.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Hill, Jackson, Jemison, Ligon, Reavis, Stone, Toulmin and Walker—17.

The question then recurred on Mr. Calhoun's motion, which was lost. Yeas 10, Nays 16.

Yeas—Messrs. Calhoun, Crump, Groce, Hardwicke, Harrison, Hill, Jewett, Rice of Jackson, Rice of Montgomery and Wood—10.

Nays—Messrs. President, Barnes, Clarke, Coman, Davis, Hammond, Heflin, Jackson, Jemison, Ligon, Moren, Morgan, Reavis, Stone, Toulmin and Walker—16.

Mr. Rice of Montgomery moved to adjourn until 15 minutes before 9 o'clock to-morrow morning.

Mr. President decided the motion out of order, as 15 minutes had not elapsed since the last vote on an adjournment had been taken.

Mr. Rice appealed from the decision of the chair, upon the ground that 15 minutes had elapsed since the original motion was made.

The question being shall the decision of the chair be the

decision of the Senate, was decided in the affirmative. Yeas 15, Nays 1.

Yeas—Messrs. Barnes, Calhoun, Coman, Groce, Hammond, Harrison, Heflin, Jackson, Jemison, Ligon, Moren, Reavis, Stone, Toulmin and Walker—15.

Nays—Mr. Rice of Montgomery.

Mr. Harrison moved to adjourn until 15 minutes past 9 o'clock to-morrow morning.

Mr. Calhoun moved to amend by inserting 7 o'clock to-night.

The question was first taken on Mr. Harrison's motion and lost. Yeas 5, Nays 17.

Yeas—Messrs. Groce, Harrison, Moren, Rice of Montgomery and Wood—5.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Hammond, Hardwicke, Heflin, Hill, Jackson, Jewett, Ligon, Reavis, Stone, Toulmin and Walker—17.

The question recurred on Mr. Calhoun's motion, and was lost. Yeas 11, Nays 12.

Yeas—Messrs. Calhoun, Crump, Davis, Groce, Hardwicke, Harrison, Hill, Jewett, Rice of Jackson, Rice of Montgomery and Wood—11.

Nays—Messrs. President, Barnes, Clarke, Heflin, Jackson, Ligon, Moren, Reavis, Stone, Toulmin and Walker—12.

Mr. Moren moved to adjourn until 15 minutes past 9 o'clock to-morrow morning.

Mr. Jemison moved to amend by inserting 7 to-night.

The question was first taken on Mr. Moren's motion, and lost.

The question recurred on Mr. Jemison's motion, which was carried.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The question pending being the main question, which was on ordering the bill under consideration at adjournment, to a third reading on to-morrow; which was carried. Yeas 20, Nays 9.

Yeas—Messrs. President, Barnes, Calhoun, Clarke, Coman, Davis, Groce, Hammond, Harrison, Heflin, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Reavis, Stone, Toulmin and Walker—20.

Nays—Messrs. Brewer, Cato, Crump, Hardwicke, Mat-

thews, Morgan, Rice of Jackson, Rice of Montgomery, and Wood—9.

The Senate then adjourned until to-morrow morning, 15 minutes past 9 o'clock.

WEDNESDAY, December 4, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Manly.

Upon a call of the districts, Mr. Rice of Montgomery introduced a bill to incorporate the Grand Commandery of Knights Templar and the appendant orders thereto in the State of Alabama; which was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

Mr. Groce, from the committee on Education, reported as follows:

That they have had under consideration a manuscript copy of an English Grammar, composed by the Rev. P. T. Henderson of Madison county, and that from a pressure of other business, the committee have been unable to give the manuscript a critical examination; but they beg leave to say that they regard it as possessing merit, and worthy of public consideration. The committee ask to be excused from a further investigation of the subject.

The report was concurred in.

Mr. Hammond asked leave to withdraw the manuscript copy, which was granted.

Mr. Rice of Montgomery, from the Judiciary committee, reported adversely to the bill to impose a tax on liquor distilled from grain.

On motion of Mr. Groce, the report and bill were laid on the table.

Mr. Walker, from the committee on Internal Improvements, reported favorably to the bill to appropriate the balance of the three per cent fund now in the treasury of the State.

The bill was read a third time, and passed.

Mr. Reavis, from the committee of the Senate to wait upon his excellency, Governor Shorter, and request a copy of his inaugural address for publication, reported that they had discharged the duty, and that the Governor, in compliance with the request of the Senate, furnished them a copy of his address.

The committee was discharged.

Mr. Rice of Montgomery moved to proceed to the consideration of the special orders, which was carried.

The first in order being the bill to regulate judicial proceedings, Mr. Stone moved to amend by way of substitute.

Mr. Clarke moved to lay the substitute on the table, which was lost. Yeas 14—nays 15.

Yeas—Messrs. Barnes, Brewer, Calhoun, Clarke, Crump, Hammond, Harrison, Hill, Jemison, Jewett, Lewis, McIntyre, Reavis and Walker.

Nays—Messrs. President, Coleman, Coman, Groce, Hardwicke, Heflin, Jackson, Ligon, Morgan, Rice of Jackson, Rice of Montgomery, Stone, Toulmin and Wood.

Mr. Morgan offered an amendment as follows, which was adopted:

After the word "raised," in first section, insert the words "or until otherwise provided by law."

Mr. Jemison moved to amend by additional section as section six, which was adopted.

Mr. Coleman moved to amend as follows:

Provided, that the provisions of this act shall not apply to persons indebted to a testator or intestate by note, unless the said debtor shall give security satisfactory to the administrator or executor of said deceased persons.

Mr. Jemison moved to amend by additional section, as section 7, which was adopted.

Mr. Hammond moved to amend as follows:

Provided, however, that none of the provisions of this act shall be enjoyed by any person who has purchased from an executor or administrator, and has failed to comply with the terms of said purchase, unless such person shall within ten days after demand hereafter made, comply with such terms.

Mr. Jemison moved to amend by additional section as section 8, which was carried.

Mr. Crump moved to amend by inserting after the words "committee to hire," in the 8th section, "unless the persons interested in the estate are adults and request a sale, except in case of trust estates," which was adopted.

Mr. Hammond moved to amend as follows:

Provided nothing herein contained shall prevent the judge of probate or chancellor to require additional security, when he shall think in his judgment the case requires it, as now exists, which was adopted.

Mr. Jemison's amendment as amended was adopted.

Mr. Jemison moved to amend by additional section, as section 9, which was adopted.

On motion by Mr. Reavis, the House concurring, the bill was referred to the Judiciary committees of the two Houses, with instructions to the joint committee to report a bill to regulate judicial proceedings upon just and proper principles, and free from fatal constitutional obligations.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES,
December 4, 1861. }

Mr. President:

The House has originated and passed the following bills:

To authorize the suspension of specie payments by the banks in Alabama until twelve months after the ratification of peace;

To authorize the location of a land warrant therein named;

For the relief of James Maherg, late tax collector of Calhoun county;

To invest certain trust funds therein named;

To prevent the sale of spirituous liquors within two miles of Branchville, in St. Clair county;

For the relief of Wm. Nolen, late tax collector of Marion county;

To further suspend specie payments by the free banks.

The next special order being the bill to prevent the productive energies of the country from being checked, and to make cotton available,

Mr. Jemison moved to suspend its consideration, in order to take up the bill to suspend the State tax, which was lost. Yeas 6—nays 25.

Yeas—Messrs. President, Clarke, Jackson, Jemison, Stone and Toulmin.

Nays—Messrs. Barnes, Brewer, Calhoun, Cato, Coleman, Coman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jewett, Ligon, Lewis, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Walker and Wood.

Mr. Calhoun moved to lay the bill on the table, which was lost. Yeas 9—nays 21.

Yeas—Messrs. President, Calhoun, Clarke, Coleman, Heflin, Jemison, Lewis, Toulmin and Walker.

Nays—Messrs. Barnes, Brewer, Cato, Coman, Crump,

Davis, Groce, Hardwicke, Harrison, Hill, Jackson, Ligon, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood.

Mr. Jemison moved to amend by way of substitute.

On motion of Mr. Morgan, the consideration of the bill was suspended, to allow him to make reports from the committee on Accounts and Claims.

Mr. Morgan reported favorably to the House bills—

For the relief of Wm. Huggins, of Pike county ;

For the relief of Griffin White, jailor of Marion county ;

Which were severally read a third time, and passed.

By leave, Mr. Cato, from the select committee to whom was referred a bill in relation to the Selma and Gulf Railroad Company, reported favorably to the bill, which was read a third time, and passed.

Also, favorably to the bill in relation to the Opelika and Oxford Railroad Company.

Mr. McIntyre moved to amend as follows :

By inserting in the place of the words "Opelika and Oxford," whenever they occur, the words "Mobile and Girard."

On motion of Mr. Brewer, the amendment was laid on the table.

The bill was read a third time, and passed.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coman, Crump, Groce, Harrison, Heflin, Jewett, Ligon, Lewis, Matthews, Moren, Morgan, Stone and Walker.

Nays—Messrs. Coleman, Davis, Hardwicke, McIntyre and Rice of Jackson.

The Senate adjourned until 7 o'clock, P. M.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The question pending being on the adoption of the substitute offered by Mr. Jemison to the bill to prevent the productive energies of the country from being checked, and to make cotton available,

After discussion had thereon,

Mr. Jemison moved to adjourn until 15 minutes past 9 o'clock to-morrow morning, which was lost.

After further discussion,

Mr. Ligon moved to adjourn until the same hour, which was lost.

The question was taken on the adoption of the amend-

ment offered by Mr. Jemison as a substitute for the original bill, which the Senate refused to adopt. Yeas 6—nays 19.

Yeas—Messrs. President, Calhoun, Heflin, Jemison, Ligon and Toulmin.

Nays—Messrs. Brewer, Cato, Crump, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood.

Mr. Rice of Montgomery moved to amend by additional section, as section 2.

After discussion had thereon, and the hour of 20 minutes past 11 o'clock having arrived, Mr. Jemison moved to adjourn until 15 minutes past 9 o'clock to-morrow, which was lost. Yeas 5, nays 21.

Yeas—Messrs. Calhoun, Hammond, Jemison, Ligon and Toulmin—5.

Nays—Messrs. President, Barnes, Brewer, Cato, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood—21.

After further discussion, Mr. Jemison moved to adjourn until 15 minutes past 9 o'clock to-morrow, which was lost. Yeas 4, nays 20.

Yeas—Messrs. President, Jemison, Ligon and Toulmin—4.

Nays—Messrs. Barnes, Brewer, Cato, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood—20.

Mr. Jemison raised a point of order that the amendment offered by Mr. Rice of Montgomery was not in order, for the reason that it was substantially the same as that offered by him as a substitute for the original bill and rejected by the Senate.

Mr. President decided that the amendment offered by Mr. Rice was in order.

Mr. Jemison appealed from the decision of the chair;

And the question being taken, shall the decision of the chair be the decision of the Senate, it was decided in the affirmative. Yeas 20, nays 1.

Yeas—Messrs. Barnes, Brewer, Cato, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood—20.

Nays—Mr. Jemison—1.

The question being on the adoption of the amendment offered by Mr. Rice of Montgomery, it was carried. Yeas 21, nays 1.

Yeas—Messrs. President, Barnes, Brewer, Cato, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood—21.

Nays—Mr. Jemison—1.

Mr. Rice of Montgomery moved to amend by inserting "five" in the blanks in rule 3d on page 3.

Mr. Cato moved to insert "eight." Mr. Cato's motion having the precedence, was first put and lost. Mr. Rice's motion carried.

Mr. Rice of Montgomery moved to amend by inserting after the words "shipping point," on page 4, the words "on the river," which was carried.

Also moved to amend by filling the blank in bottom line on page 3, and in line 21, page 5, and in the 6th line from the bottom on page 6, and also the blank in bottom line on same page, with the word "one," which was carried.

Mr. Jackson moved the previous question, which was carried. Yeas 21, Nays 1.

Yeas—Messrs. President, Barnes, Brewer, Cato, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood—21.

Nays—Mr. Jemison—1.

The main question being on ordering the bill to a third reading to-morrow, it was carried.

Mr. Rice of Montgomery moved to adjourn until 15 minutes past 9 o'clock to-morrow morning, which was carried.

THURSDAY, December 5, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Matthews of the Senate.

Upon the call of the districts, the following bills were introduced—

Mr. Rice of Montgomery, a bill to relieve certain volunteers and soldiers from accounting for clothing;

Mr. Wood, a bill to prevent the sale of spirituous liquors within one mile of Shorterville Church, in the county of Henry;

Mr. Groce, a bill for the relief of certain parties named;

Mr. Clarke, to change the time for holding the chancery courts of the counties of Sumter, Marengo and Choctaw.

All of which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Jemison moved to take from the table the bill to amend and explain an act making Tuscaloosa and LaGrange and its vicinity a military rendezvous for certain purposes, which was carried.

On motion of Mr. Jemison, the bill was amended by additional section, as section 2.

The bill was read a third time and passed.

Mr. Brewer presented a petition, which was referred to the committee on Corporations.

Mr. Reavis offered the following resolution, which was adopted:

Resolved, That the Secretary of the Senate be authorized to employ such assistant clerks as may be necessary for the proper dispatch of the business of the Senate, to be paid at the regular rate of assistant clerks upon the certificate of the President of the Senate.

Mr. McIntyre presented a petition, which was referred to the committee on the Judiciary.

Mr. Ligon presented an account in favor of H. C. Sills;

Mr. Rice of Montgomery presented an account of Coyne, Whitfield & Co.

Both of which were referred to the committee on Accounts and Claims.

Message from the House.

HOUSE OF REPRESENTATIVES,
Dec. 5, 1861. }

Mr. President:

The House of Representatives has passed the following Senate bills:

To repeal an act entitled an act to confer upon the intendant of the town of Rockford the powers of a justice of the peace, &c.;

To abolish a certain rule of the common law;

To change the time of taking up the State dockets;

To enlarge the jurisdiction of the several probate courts of this State;

To authorize executors, administrators and guardians to rent land, and to amend section 1750 of the code;

To amend sections 2645 and 2649 of the code;

To amend an act therein named;

To transfer the executorship of Robert Craig, deceased,

from the probate court of Sumter county to the probate court of Dallas county;

To amend the charter of the town of Gainesville;

To exempt ministers of the Gospel from road duty in the county of Walker;

Has amended, and as amended, passed the Senate bills,

To allow compensation to guardians, executors and administrators in certain cases;

Supplemental to two several acts in relation to the manufacture of salt; and refused to pass the Senate bills—

For the relief of Jesse B. and Mary Ann Todd of Chambers county;

To protect the public and our soldiers from the oppression of the speculators and others;

To modify the act to amend section 2471 of the Code.

The House concurs in the amendment of the Senate to the substitute adopted by the House for the Senate bill for the relief of William Johnson and other tax collectors;

Also, to the Senate amendments to the House bills—

To facilitate the equipment of volunteers and the purchase of arms;

For the benefit of the minor heirs of A. Watts, deceased;

To make W. W. Armistead, a liner between Monroe and Clarke counties, a citizen of Clarke county;

To cause a register of outstanding claims against the counties of De Kalb and Covington;

To extend the time of making the returns required by chapter 5 of the military code of Alabama; and refuses to concur in the amendments of the Senate to the bill—

To authorize the commissioners' court of Cherokee county to levy a special tax in order to require each citizen of said county to bear a just proportion of expenses heretofore incurred for volunteers and the support of their families, according to the amount of his or her taxable property.

Has also originated and passed the following bills:

For the relief of the administrator of the estate of James B. Sherrod, deceased;

For the relief of Jesse McCoy of Chambers county;

For the relief of Richard Hudson, sheriff of Jefferson co.;

For the relief of executors, administrators, trustees and guardians;

For the relief of Drury Fair Jones and Sallie Ann Jones of Dallas county, minors under the age of fourteen years;

To allow peddlars to peddle on certain articles in Dale county without license;

To amend section 3908 of the Code;

To authorize the appointment of a surgeon-in-chief to the State hospital for sick soldiers of Alabama in the army of the Potomac;

To raise revenue from crops loaned, and for other purposes;

To transfer the county of Conecuh from the second chancery district of the southern division, to the seventh chancery district of said division, composed of the counties of Butler and Covington;

To amend section fourth of an act entitled an act to exempt from sale under any legal process all necessary wearing apparel for the use of each family in this State, approved February 1, 1854, and for other purposes;

To authorize the court of county commissioners of Butler county to levy a special tax for the support of families of indigent volunteers;

To authorize the establishment of private roads;

To authorize the Governor to employ two secretaries;

To authorize the commissioners' court of Walker county to allow and pay off certain claims against said county;

To raise an additional volunteer force for the defense of the State;

To extend the corporate limits of the town of Auburn;

To provide for carrying out the requirements of an ordinance in relation to the waste and unappropriated lands in the State of Alabama, approved March 20, 1861.

Message from the Governor by his Private Secretary, Mr. Allbright.

Mr. President:

The Governor has approved the following Senate bills:

To make Tuscaloosa and La Grange, or its vicinity, a military rendezvous for certain purposes;

To authorize the Comptroller to draw his warrant on the Treasurer in favor of tax collectors in certain cases and for other purposes;

In relation to the banks of Alabama;

To exempt the several counties in this State from imposing the tax for the support of the indigent families of volunteers, in certain cases.

Mr. Calhoun, from the Judiciary committee reported favorably on the House bill to authorize the sale and distribution of the estate of James Hamilton, deceased.

The bill was read a third time and passed.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably to the House bills—

For the relief of W. J. Matthews and others;

For the relief of A. Scogin, jailor of Dallas county.

The bills were severally read a third time under a suspension of the constitutional rule, and passed.

Mr. Reavis, from the Judiciary committee, reported adversely to the bill to repeal an act more effectually to secure and collect fines and forfeitures, and for other purposes, approved February 25, 1860. The report was concurred in.

Mr. Reavis, from the same committee, reported favorably to the bill to declare the effect of orders, decrees and judgments of the probate courts.

Mr. Rice, of Montgomery, moved to postpone the consideration of the bill and report until Monday next; which was lost. Yeas 13, Nays 18.

Yeas—Messrs. Barnes, Brewer, Cato, Coman, Crump, Davis, Groce, Harrison, Heflin, Jackson, Matthews, Rice of Montgomery and Wood—13.

Nays—Messrs. President, Calhoun, Clarke, Coleman, Hammond, Hardwicke, Hill, Jemison, Jewett, Lewis, Ligon, Moren, McIntyre, Reavis, Rice of Jackson, Stone, Toulmin and Walker—18.

Mr. Rice of Montgomery moved to amend as follows: After the word "shall," at the end of the fourth line, insert the following: "As to persons who are adults at the time of their rendition, but not as to minors."

Mr. Ligon moved to lay the amendment on the table; which was lost. Yeas 13, Nays 19.

Yeas—Messrs. President, Calhoun, Clarke, Hammond, Hardwicke, Jemison, Ligon, Lewis, McIntyre, Reavis, Stone, Toulmin and Walker—13.

Nays—Messrs. Barnes, Brewer, Cato, Coleman, Coman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, Rice of Jackson, Rice of Montgomery and Wood—19.

On motion the further consideration of the bill was suspended in order to allow bills to be introduced.

Mr. Toulmin introduced a bill to amend an act to aid in the defence of Mobile, approved November 9, 1861. The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Hill, a bill the better to secure the payment of the fees of the clerks of the circuit court of Walker county in

State cases; which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Harrison, to incorporate the chemical manufactory; which was read twice under a suspension of the constitutional rule and referred to the committee on Corporations.

The question then pending being the amendment offered by Mr. Rice of Montgomery,

Mr. Clarke moved the previous question, which was lost. Yeas 15, Nays 16.

Yeas—Messrs. President, Calhoun, Clarke, Hammond, Hill, Jemison, Ligon, Morgan, McIntyre, Reavis, Stone, Toulmin and Walker—15.

Nays—Messrs. Barnes, Brewer, Cato, Coleman, Coman, Crump, Davis, Groce, Harrison, Heflin, Jackson, Matthews, Moren, Rice of Jackson and Rice of Montgomery—16.

The question recurred on the amendment of Mr. Rice, which was rejected. Yeas 14—nays 15.

Yeas—Messrs. Barnes, Brewer, Cato, Coman, Crump, Davis, Groce, Harrison, Heflin, Jackson, Matthews, Moren, Rice of Montgomery and Wood.

Nays—Messrs. President, Calhoun, Clarke, Hammond, Hardwicke, Jemison, Jewitt, Ligon, Lewis, Morgan, McIntyre, Reavis, Stone, Toulmin and Walker.

Mr. Barnes moved to amend as follows:

“Provided that each person affected in any manner whatsoever by any such order, decree, judgment or proceedings, who may be or may have been a minor at the time of the making or rendition of such order, decree, judgment, or other proceeding, shall have the right to appeal from any such order, decree, judgment or proceeding, to the proper circuit or supreme court, at any time within two years after such person arrives at the age of twenty-one years.”

Pending the consideration of which adjourned until 7 o'clock to-night.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The question at adjournment being the bill to declare the effect of orders, decrees and judgments of the probate court; and the amendments thereto,

Mr. Rice of Montgomery moved to postpone the further consideration of the bill and amendments until Monday next, which was carried. Yeas 16—nays 13.

Yeas—Messrs. Barnes, Brewer, Cato, Crump, Davis,

Groce, Hardwicke, Harrison, Heflin, Hill, Jackson, Matthews, Moren, Morgan, Rice of Montgomery and Wood.

Nays—Messrs. President, Calhoun, Clarke, Coleman, Hammond, Jewett, Ligon, Lewis, McIntyre, Reavis, Stone, Toulmin and Walker.

Mr. Groce introduced a bill to transfer the unexpended balance of appropriations for the relief of the deaf and dumb remaining in the hands of the State Superintendent of Education under an act entitled an act for the relief of the Deaf and Dumb, approved February 4, 1858, to the Alabama Institute for the Deaf and Dumb,

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Clarke, from the committee on Corporations, reported adversely to the bill to amend the charter of the city of Wetumpka.

The report was concurred in.

Mr. Clarke, from same committee, also reported adversely to the bill to amend an act incorporating the Wetumpka Wharf Company, approved February 15, 1856.

On motion of Mr. Brewer, the report and bill was laid on the table.

Mr. Clarke, from the Judiciary committee, reported favorably to the bill to authorize a reference to arbitration in certain cases, which was read a third time, and passed.

Also reports from the committee on Corporations favorably to the bill to incorporate the East Alabama Insurance Company;

To incorporate the Grand Commandery of the Knights Templar and the appendant orders in the State of Alabama;

Which were severally read a third time, and passed.

Mr. Rice of Montgomery, of the Judiciary Committee, to whom were referred resolutions of inquiry, etc., reported the following bill:

To suspend the revision of the Code, and the Acts relating thereto;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Jewett, from the Judiciary committee, reported favorably to the bill for the relief of R. A. Moody and others.

The bill was read a third time, and passed.

Also, reported from the committee on Public Lands, to whom had been referred a resolution of instruction, the following bill:

To repeal sections two and three of an act therein designated.

The bill was read twice under a suspension of the constitutional rule, and on motion by Mr. Jewett, made the special order for Saturday next, at 11 o'clock, A. M.

Also, from the Judiciary committee, reported favorably on the bill to amend the act approved Feb. 8, 1861, entitled an act to regulate judicial proceedings, and for other purposes.

The bill was read a third time, and passed.

Mr. Davis, from the Judiciary committee, reported favorably to the House bill to amend section 2235 of the Code.

The bill was read a third time, and passed.

Also, from same committee, reported adversely on the bill to amend section 1056, so far as Walker county is concerned.

On motion of Mr. Hill, the report was laid on the table.

The bill was read a third time, and passed.

The caption was amended so as to include the county of Lowndes.

Mr. McIntyre, from the same committee, reported adversely to the House bill to enlarge the jurisdiction of the probate courts in certain cases.

The bill was concurred in.

Mr. Ligon, from the same committee, reported favorably to the bill to legalize the proceedings of the Governor in supplying the volunteers of Alabama with clothing.

The bill was read a third time, and passed.

Mr. Harrison, from committee on Banks and Banking, reported as a substitute for the bill to authorize the banks to issue small notes,

A bill to authorize the banks to issue small notes under one dollar.

The bill was read three times under a suspension of the constitutional rule, and passed.

Also, from the same committee, reported favorably to the bill in relation to free banking associations.

The bill was read a third time, and passed.

Mr. Brewer, from committee on Enrolled Bills, reported as correctly enrolled the following bills:

To authorize executors, administrators and guardians to rent lands, and to amend section 1750 of the Code;

To change the time of taking up the State dockets;

To exempt ministers of the gospel from road duty in the county of Walker;

To abolish a certain rule of the common law ;
 To amend sections 2645 and 2649 of the Code ;
 To enlarge the jurisdiction of the several probate courts
 in this State ;
 To amend an act therein named.

Message from the House by Mr. Eason.

HOUSE OF REPRESENTATIVES, }
 December 5, 1861. }

Mr. President:

The House has originated and passed the following bill :
 To authorize Wm. C. Coleman, guardian of the minor
 heirs of James H. Thompson, deceased, to purchase lands
 for the benefit of said minors; and have passed the Senate
 bill,
 For the relief of certain volunteers.

Mr. Harrison, from the committee on Banks and Banking,
 reports adversely to the bill to confer upon the banks of
 Montgomery the privileges and benefits of an amendment
 to section 1375 of the Code made by the late State conven-
 tion.

Mr. Rice of Montgomery, moved to lay the report on the
 table, which was carried. Yeas 16—nays 8.

Yeas—Messrs. President, Barnes, Brewer, Coleman,
 Crump, Groce, Hammond, Hardwicke, Heflin, Hill, Jackson,
 Matthews, Morgan, Rice of Montgomery, Toulmin and
 Walker.

Nays—Messrs. Clarke, Harrison, Jemison, Jewett, Ligon,
 Moren, Rice of Jackson, and Wood.

Mr. Rice of Montgomery moved to amend as follows :

Provided, however, that the said bank shall not have or
 take any right or benefit under this act, unless within six
 months after the passage of this act said bank shall purchase
 from the Governor at par fifty thousand dollars of the bonds
 of this State in addition to the bonds of the State hereto-
 fore purchased or required by law to be purchased by said
 bank ; and shall also file with the comptroller of this State
 the written consent of such stockholder in the Bank of Au-
 gusta, to be liable individually for double the amount of his
 or her interest in the Bank of Montgomery, for any legal li-
 ability against the Bank of Montgomery, and to be sued in
 our courts upon such liability by service of process against

them or any of them upon the President of the Bank of Montgomery; which was adopted.

The question pending being on ordering the bill to a third reading, was lost. Yeas 14, nays 15.

Yeas—Messrs. Barnes, Brewer, Groce, Harrison, Heflin, Ligon, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Montgomery, Stone and Walker—14.

Nays—Messrs. President, Calhoun, Cato, Clarke, Coleman, Coman, Crump, Hammond, Hardwicke, Hill, Jackson, Jemison, Rice of Jackson, Toulmin and Wood—15.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably on the House bill for the relief of Levi F. Warren and others.

The bill was referred to a select committee—Messrs. Hill, Calhoun and Clarke.

Mr. Stone, from the Judiciary committee, reported favorably to the House bill to amend section 1023 of the code in relation to runaway slaves.

The bill was read a third time and passed.

Mr. Barnes, from the same committee, reported the following amendment to the House bill to amend an act, approved Feb. 8, 1858, to fix the mode of conveying the estate of husband and wife:

Provided, that nothing herein contained shall apply to and affect any conveyance heretofore made, or any case now pending in any court, or any right heretofore adjudicated.

The amendment was adopted.

The bill was read a third time and passed.

Mr. Walker, from the same committee, reported favorably to the bill to abolish damages on bills of exchange.

The bill was read a third time and passed.

Mr. Heflin, from the committee on the Penitentiary, made the following report:

The committee met at the penitentiary and examined all things connected with the same, and found all the convicts of said institution well provided for by Dr. A. Burrows, the present lessee. We also ascertained that there were six convicts in the penitentiary for different crimes who were entirely insane and so pronounced by the physician of the penitentiary. We therefore report the accompanying bill and recommend its passage:

A bill for the relief of insane convicts in the penitentiary;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Reavis offered a bill for the relief of Wm. H. Coleman;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

Also, a bill to amend section 3576 of the code;

Which was read three times under a suspension of the constitutional rule, and passed.

Also, a bill to authorize the amendment of legal proceedings in the several courts of this State;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

On motion of Mr. Jackson, the House bill to raise an additional volunteer force for the defense of the State, was taken from the house messages, read three times under a suspension of the constitutional rule, and passed.

Mr. Rice of Montgomery moved to take up the bill to prevent the productive energies of the country from being checked, and to make cotton available.

The bill was read a third time and passed. Yeas 22, nays 9.

Yeas—Messrs. Barnes, Brewer, Cato, Coman, Crump, Groce, Hammond, Hardwicke, Harrison, Heflin, Hill, Jackson, Jewett, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Stone and Wood.

Nays—Messrs. President, Calhoun, Clarke, Coleman, Jemison, Ligon, Lewis, Stone and Walker—9.

The Senate adjourned until 9½ o'clock to-morrow morning.

FRIDAY, December 6, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Ferguson.

Upon motion, a call of the senatorial districts was dispensed with.

Mr. Toulmin offered a bill for the relief and benefit of Jno. F. Jagler.

The bill was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Ligon, a bill to extend to the Confederate Bank of Alabama certain privileges and immunities heretofore conferred on the other free banks of this State.

The bill was read twice under a suspension of the constitutional rule, and referred to the committee on Banks and Banking.

Mr. Hardwicke, a bill to require the reports from chartered and free banks to be presented during the first week of

the meeting of the General Assembly, and for other purposes.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Clarke, from the committee on Corporations, reported favorably to the bill to incorporate the Chemical Manufactory.

The bill was read a third time and passed.

Mr. Toulmin, from the Military committee, reported adversely to the bill to organize and regulate the militia of the State of Alabama.

The report was concurred in.

Also, reported amendments, as sections 3 and 4, to the bill to exempt from military and road duty all persons employed by Horace Ware in manufacturing iron, and all other persons similarly engaged.

On motion of Mr. Morgan, the bill and report were laid on the table.

Mr. Calhoun, from the committee on Confederate Relations, reported adversely to the joint resolutions relating to a Confederate cotton loan.

The report was concurred in.

Also, adversely to the joint memorial of the Senate and House of Representatives of the State of Alabama to the Congress of the Confederate States of America.

The report was concurred in.

Mr. Morgan, from the committee on Accounts and Claims, reported adversely to the payment of the account of H. C. Sills.

The report was concurred in.

Mr. Coman moved to take from the general orders the joint resolutions of the Senate and House of Representatives of the State of Alabama proposing amendments to the Constitution of said State in reference to the jurisdiction of justices of the peace.

On motion of Mr. Walker, the resolutions were referred to the Judiciary committee.

On motion, the Senate proceeded to the consideration of the House messages.

The Senate concurred in the amendments of the House to the following Senate bills:

To allow compensation to executors, administrators and guardians in certain cases;

To amend section 672 of the code;

To amend section 2033 of the code;
 Supplemental to two several acts in relation to the manufacture of salt.

The House bills—

To invest certain trust funds therein named;
 To authorize the location of a land warrant therein named;
 To further suspend specie payments by the free banks;
 Were severally read three times under a suspension of the constitutional rule, and passed.

Message from the House.

HOUSE OF REPRESENTATIVES, }
 December 6, 1861. }

Mr. President:

The House of Representatives has originated and passed the following bills:

To repeal an act therein named;
 To amend an act, approved Nov. 9, 1861, to aid in the defenses of Mobile;
 For the relief of Wm. Owens, jailor of Randolph county;
 For compensating Richard F. Cook, Willis W. Jackson and E. H. Gordy for copying maps for the use of the State;
 For the relief of settlers on public lands in Winston county;
 To amend the charter of the Mobile Savings' Bank;
 To authorize Mrs. Lucy Little of Sumter county to erect gates across a certain public road;
 To amend the charter of the Mobile Omnibus Company;
 For the relief of the citizens of township 12, range 22, in the county of Pike;
 For the relief of W. L. Waller, jailor of Marshall county;
 For the relief of Thos. F. Parker and others;
 For the relief of Wm. O. Royer and Geo. F. Guise, trustees of township 3, range 14, of Franklin county.

Message from the Governor by his Private Secretary, Mr. Albright.

Mr. President:

The Governor has approved the following bills:
 An act to abolish a certain rule of the common law;
 An act to change the time of taking up the State docket;
 An act to exempt ministers of the gospel from road duty in Walker county;

An act to authorize executors, administrators and guardians to rent land, and to amend section 1750 of the Code;

An act to amend an act therein named;

An act to amend sections 2645 and 2649 of the Code;

An act to enlarge the jurisdiction of the several probate courts of this State.

Mr. Reavis, by leave, introduced a bill for the relief of the Planter's Bank of Alabama and the Western Bank of Alabama, which was read twice under a suspension of the constitutional rule, and referred to a select committee of three composed of Messrs. Reavis, Rice and Jackson, with instructions to report as early as possible.

Mr. Rice of Montgomery introduced a bill in relation to free banks; which was read twice under a suspension of the constitutional rule.

Mr. Clarke moved to amend as follows: insert after the word "exceeding," in the second section, "nor less than;" which was adopted.

Mr. Rice of Montgomery moved to amend by inserting after the word "exceeding," in the second section, the words "two hundred thousand"; which was adopted.

The constitutional rule being dispensed with, the question was on the passage of the bill; which was carried. Yeas 19, Nays 9.

Yeas—Messrs. President, Barnes, Cato, Groce, Hammond, Heflin, Jackson, Jewett, Ligon, Lewis, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, Toulmin, Walker and Wood—19.

Nays—Messrs. Brewer, Calhoun, Clarke, Coleman, Hardwicke, Harrison, Hill, Jemison and Rice of Jackson—9.

The House bill to authorize the suspension of specie payments by the banks of Alabama until twelve months after the ratification of peace, was read twice under a suspension of the constitutional rule.

Mr. Morgan moved to amend by striking out the words "until twelve months after the ratification of peace," and inserting the words, "until otherwise provided by law;" which was lost.

Mr. Jemison moved to take up the bill by sections, serialim; which was carried.

Mr. Wood moved to amend the first section by adding after the words "Confederate States," "and of the State of Alabama."

On motion of Mr. Morgan, the motion was laid on the table. Yeas 22, Nays 8.

Yeas—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Coleman, Davis, Groce, Hammond, Harrison, Hill, Jemison, Jewett, Ligon, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Montgomery, Toulmin and Walker—22.

Nays—Messrs. Cato, Coman, Hardwicke, Heflin, Jackson, McIntyre, Rice of Jackson, and Wood—8.

Mr. Cato moved to strike out the second section; which was lost.

Mr. Brewer moved to strike out the 3d section; which was lost. Yeas 8, Nays 20.

Yeas—Messrs. Brewer, Calhoun, Coman, Hardwicke, Heflin, Jackson, Rice of Jackson and Wood—8.

Nays—Messrs. President, Barnes, Clarke, Coleman, Crump, Davis, Groce, Hammond, Harrison, Jemison, Jewett, Ligon, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, Toulmin and Walker—20.

Mr. Cato moved to strike out the proviso in the last section; which was lost.

The bill was then read a third time under a further suspension of the constitutional rule, and passed.

Mr. Clarke, from the Select committee, reported a substitute for the House bill for the relief of F. Warren and others. The substitute was adopted, the bill read a third time and passed.

Mr. Reavis, from the select committee to whom was referred the bill for the relief of the Planters' Bank of Alabama, and the Western Bank of Alabama, reported an amendment by way of additional section, as section third. The amendment was adopted, the bill was read a third time under a suspension of the constitutional rule, and passed. Yeas 22, Nays 9.

Yeas—Messrs. President, Barnes, Cato, Coman, Crump, Davis, Groce, Hammond, Heflin, Jackson, Jemison, Jewett, Ligon, Lewis, Matthews, Morgan, McIntyre, Reavis, Rice of Montgomery, Toulmin, Walker and Wood—22.

Nays—Messrs. Brewer, Calhoun, Clarke, Coleman, Hardwicke, Harrison, Hill, Moren and Rice of Jackson—9.

The caption was so amended as to include the Bank of Alabama.

Mr. Calhoun, from the Select committee, reported adversely to the joint resolutions upon the subject of naturalization, &c. The report was concurred in.

Mr. Barnes offered a bill for the relief of the 1st Alabama regiment; which was read three times, under a suspension of the constitutional rule, and passed.

On motion of Mr. Jewett, the special order being the bill in relation to the location of bounty land warrants was taken up. The bill was read a third time and passed.

The Senate again proceeded to the consideration of the House messages:

The bill for the relief of James Maherg was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The bills to divorce Cornelius J. Latham from his wife, Margaret Louisa Latham;

For the relief of the citizens of township 12, range 22, in the county of Pike;

For the relief of William Nolen, tax assessor of Marion county;

To prevent the sale of spirituous liquors within two miles of Branchville in St. Clair county,

Were severally read three times under a suspension of the constitutional rule, and passed.

The Senate adjourned until 7 o'clock, p. m.

NIGHT SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Morgan, the bill to exempt from military and road duty the persons employed by Horace Ware in manufacturing iron, and all other persons similarly engaged, was taken from the table.

The committee withdrew amendment as section 4.

The amendment, section 3, was adopted.

On motion of Mr. Calhoun, the following amendment was adopted. Strike out the words "and roads" before the word "duty" in the 1st section.

The bill was read a third time and passed.

The caption was amended by striking out the words "and road."

By leave, Mr. Rice of Montgomery introduced a bill for the relief of John R. Moss; which was read three times under a suspension of the constitutional rule, and passed.

On motion of Mr. Jemison, the consideration of the House messages was suspended to take from the general orders the bill to authorize the collection of the State taxes assessed and accruing to the treasury during the fiscal year commencing 30th of September, 1861, and ending the 30th of September, 1862, to be suspended, and providing for the deficit created thereby.

Mr. Jemison moved to amend by engrossed ryder, by way of additional section, as section 8.

M. Rice of Montgomery raised the point of order that the ryder was irrelevant to the matter contained in the main body of the bill.

The Chair decided the point not well taken.

Mr. Rice of Montgomery appealed from the decision of the chair.

The question being shall the decision of the chair be the decision of the Senate, was decided in the affirmative. Yeas 20—nays 3.

Yeas—Messrs. Barnes, Brewer, Calhoun, Cato, Clarke, Crump, Groce, Hammond, Hardwicke, Harrison, Heflin, Jemison, Jewett, Lewis, Matthews, Moren, Reavis, Rice of Jackson, Toulmin and Walker.

Nays—Messrs. Jackson, Morgan and Rice of Montgomery.

The engrossed ryder was read three times, and adopted. Yeas 19—nays 8.

Yeas—Messrs. President, Barnes, Calhoun, Cato, Clarke, Davis, Groce, Hammond, Hardwicke, Heflin, Hill, Jemison, Jewett, Lewis, Moren, Reavis, Rice of Jackson, Toulmin and Walker.

Nays—Messrs. Brewer, Crump, Harrison, Jackson, Matthews, Morgan, Rice of Montgomery and Wood.

The question being on the passage of the bill, it was lost.

Yeas—Messrs. Barnes, Calhoun, Clarke, Groce, Hammond, Hardwicke, Heflin, Jackson, Toulmin and Walker.

Nays—Messrs. Brewer, Cato, Crump, Davis, Harrison, Hill, Jewett, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Jackson, Rice of Montgomery and Wood.

Mr. Rice of Montgomery, moved to reconsider the vote just taken, which was lost. Yeas 7—nays 20.

Yeas—Messrs. Barnes, Clarke, Groce, Hardwicke, Heflin, Jemison and Toulmin.

Nays—Messrs. President, Brewer, Calhoun, Cato, Crump, Davis, Hammond, Harrison, Hill, Jackson, Jewett, Lewis, Matthews, Moren, Morgan, Reavis, Rice of Jackson, Rice of Montgomery, Walker and Wood.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled—

To allow compensation to executors, administrators and guardians in certain cases;

To transfer the executorship of Robert Craig, deceased,

from the probate court of Sumter county to the probate court of Dallas county;

To amend section 672 of the Code;

For the relief of certain volunteers;

To amend an act to aid in the defenses of Mobile, approved Nov. 9, 1861;

To amend the charter of the town of Gainesville;

Supplemental to two several acts in relation to the manufacture of salt;

To amend section 2033 of the Code;

To repeal an act entitled an act to confer upon the intendant of the town of Rockford the powers and duties of justice of the peace, and for other purposes.

A message was received from the House announcing the passage of the following bill:

To revive and renew an act therein named.

The Senate again proceeded to the consideration of the House messages.

The House bill to incorporate the Selma Chamber of Commerce;

To authorize W. H. Coleman, guardian of the minor heirs of James H. Thompson, deceased, to purchase lands for the benefit of said minors;

To enable the court of county commissioners of Green, Autauga and Sumter counties to appoint overseers and apportioners of public roads in said counties over the age of 18 and under the age of 60;

To regulate the sale of spirituous liquors in the Danville district of Morgan county, Alabama;

To prohibit the sale of spirituous liquors within two miles of Bethel Church, in Jefferson county;

To exempt from taxation a certain amount of property of volunteers, and the widows of deceased volunteers;

To extend the corporate limits of the town of Auburn;

For the relief of executors, administrators, trustees and guardians;

To authorize the commissioners' court of Walker county to allow and pay off certain claims against said county;

To authorize the court of county commissioners of Butler county to levy a special tax for the support of families of indigent volunteers;

To authorize the appointment of a surgeon-in-chief to the

Confederate States Hospital for sick soldiers of Alabama in the army of the Potomac ;

To amend section 3908 of the Code ;

To provide for compensating Richard F. Cook, Willis W. Jackson and E. H. Gordy, for copying maps for the use of the State ;

For the relief of Jesse McCoy, of the county of Chambers ;

To amend the charter of the Mobile Omnibus Company ;

To revive and renew an act therein named ;

For the relief of Wm. Owens, jailor of Randolph county ;

For the relief of the administrator of the estate of James D. Sherrod, deceased ;

Were severally read three times under a suspension of the constitutional rule, and passed.

The House bill to incorporate the South Alabama Presbyterian Male Academy, at Lower Peach Tree, in Wilcox county, Alabama, was read twice under a suspension of the constitutional rule, and referred to a select committee, composed of Messrs. Calhoun, Clarke and Jackson.

The bill was subsequently reported by the committee, in which they recommended the adoption of a substitute for the bill.

The substitute was adopted, and the bill read a third time, and passed.

The caption was amended so as to read as follows :

To prevent the sale of spirituous liquors within two miles of the South Alabama Presbyterian Male Academy, at Lower Peach Tree, in Wilcox county.

The House bills to provide for carrying into effect the provisions of section 34 of an ordinance in relation to the waste and unappropriated lands in the State of Alabama, adopted March 20, 1861 ;

For the relief of settlers on public lands in Winston county ;

Were severally read twice under a suspension of the constitutional rule, and referred to the committee on Public Lands.

The House bills—

To allow peddlers to peddle in certain districts in Dale county without license ;

To raise revenue on crops loaned, and for other purposes ;

To authorize the Governor to employ two secretaries ;

Were severally read twice under a suspension of the con-

stitutional rule, and referred to the committee on Finance and Taxation.

The House bill to incorporate the Mobile Merchants' and Traders' Depository was read twice under a suspension of the constitutional rule, and referred to the committee on Corporations.

The House bills to amend section 4 of an act entitled an act to exempt from sale under any legal process wearing apparel for the use of each family of this State, approved Feb. 18th, 1854, and for other purposes;

To transfer the county of Conecuh from the second chancery district of the Southern Division to the seventh chancery district of said Division, composed of the counties of Butler and Covington;

To authorize the establishment of public roads;

For the relief of Drury Fair Jones and Sally Ann Jones of Dallas county, minors under the age of fourteen years;

Were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

The House bills—

For the relief of Thos. F. Parker and others;

For the relief Richard Hudson, sheriff of Jefferson county;

Were severally read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The Senate receded from its amendment to the House bill to authorize the commissioners' court of Cherokee county to levy a special tax, &c.

By leave, Mr. Rice of Montgomery introduced a bill to equalize certain burthens of the existing war;

Which was read three times under a suspension of the constitutional rule, and passed.

The House bill to encourage the manufacture of fire arms and munitions of war in this State, was read twice under a suspension of the constitutional rule.

Mr. Reavis moved to amend by additional sections, as sections 4 and 5.

On motion of Mr. Calhoun, the bill and amendments were referred to a select committee composed of Messrs. Calhoun, Reavis and Brewer.

The Senate then adjourned until to-morrow morning, 5 minutes past 9 o'clock.

SATURDAY, December 7th.

The Senate met pursuant to adjournment.

Upon motion, the call of the senatorial districts was dispensed with.

Mr. Walker presented a petition, which was referred to the Judiciary committee.

Mr. Wood introduced a bill to repeal an act, approved 25th January, 1860, to repeal the 6th section of an act to incorporate the Lauderdale Manufacturing Company;

Which was read twice under a suspension of the constitutional rule, and referred to the Judiciary committee.

Mr. Rice, a bill for the relief of White, Pfister & Co.;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

Also, a bill to authorize the sale of the property of township 16, range 17;

Which was read three times under a suspension of the constitutional rule, and passed.

Message from the House.

HOUSE OF REPRESENTATIVES,
Dec. 6, 1861. }

Mr. President:

The House has originated and passed the following bills:

Making appropriations for the fiscal year ending on the 30th day of Sept. 1862;

For the relief sick soldiers from Alabama in the army of the Potomac;

To amend an act to regulate judicial proceedings, and for other purposes, approved Feb. 8, 1861;

Fixing the time of the meeting of the General Assembly;

For the relief of Cornelius J. Wyatt;

A memorial to the Congress of the Confederate States of America in reference to the sequestration act;

And has passed the Senate bills—

For the relief of the first cavalry regiment;

For the relief of R. A. Moody and others.

Mr. Brewer, from the committee on Public Lands, reported adversely to the House bill for the relief of settlers on public lands in Winston county.

The report was concurred in.

Mr. Davis, from the Judiciary committee, reported adversely to the bill in relation to the lien of mechanics.

The report was concurred in.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably to the House bill for the relief of Richard Hudson, sheriff of Jefferson county.

The bill was read a third time and passed.

Mr. Rice of Montgomery, from the Judiciary committee, reported adversely to the bill to authorize the amendment of legal proceedings in the several courts of this State.

The bill was read a third time and passed.

Mr. Jewett, from the Judiciary committee, to whom was referred a resolution in relation to amending sections 2032 and 2033 of the Code, reported as covering the facts of the case—

A bill for the relief of the minor heirs of Legrand Parker, deceased.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Cato, from same committee, reported adversely to the bill to better secure the payment of fees of the clerk of the circuit court of Walker county in State cases.

On motion of Mr. Hill, the report was laid on the table.

The bill was then read a third time and passed.

Mr. Cato, from the committee on Public Lands, reported adversely to the House bill to provide for carrying into effect the requirements of section 34 of an ordinance in relation to the waste and unappropriated lands in the State of Alabama, adopted 20th March, 1861.

Mr. Rice of Montgomery moved to lay the report on the table, which was lost.

Also, moved to lay the report and bill on the table, which was lost.

The report was concurred in.

Mr. Jemison, from the committee on Finance and Taxation, to whom was referred a resolution in relation to abolishing the office of Auditor of the Treasury, reported

A bill to abolish the office of Auditor of the Treasury of the State created by the 3d section of an act entitled an act making appropriations for the military defense of the State, approved February 6, 1861.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Jemison, from the same committee, reported the following amendments to the House bill to amend an act therein named:

Amendment first. After the word "treasury," in the 4th

line from the end of section one, add "or Comptrollor of Public Accounts."

Amendment second. At the end of section one, strike out all after the figures "1861," and insert "or any other funds in the treasury not otherwise appropriated."

Amendment third. After the word "treasury," in the 4th line of second section, add "or Comptrollor of Public Accounts;" and after the word "Auditor," in the 5th line of said section, add "or Comptrollor."

Amendment fourth. At the end of section two, "or any other funds in the treasury not otherwise appropriated."

The amendments were adopted, and the bill read a third time, and passed.

Mr. Jemison offered the following protest:

During the proceedings of the evening session on Wednesday the 4th inst., a question of order was made which is stated on the Journal in these words: "Mr. Jemison raised a point of order that the amendment offered by Mr. Rice of Montgomery was not in order for the reason that it was substantially the same as that offered by him as a substitute for the original bill and rejected by the Senate." The question of order was overruled by the President, and upon the appeal from the decision of the chair the undersigned voted alone in the negative. He now desires to spread upon the Journal the reasons for his appeal and some of the authorities sustaining the same. A strict observance of parliamentary forms and rules has ever been regarded as of the highest importance to wise and wholesome legislation. Such observance is secondary only to a strict and rigid adherence to the letter and spirit of the constitution. It is difficult to tell from which a departure would be fraught with most danger. To attempt to enforce the proposition by agreement, would be mere supererogation. I therefore refer very briefly to some of the authorities in support of the point of order made.

The first authority referred to is the 34th standing rule of the Senate, namely, "A bill once rejected, another of the same substance shall not be entertained during the session." If the amendment offered first as a substitute for the whole bill and rejected, and afterwards as an amendment to be inserted as additional matter, be regarded as a bill, or if amendments under like circumstances as in this case are subject to the same rule as bills, then the standing rule quoted is conclusive authority in support of the point of order. That the substitute should be treated and held as a bill, I think very

clear, according to parliamentary usage. All substitutes are regarded as amendments; but when a substitute is offered to take the place of the entire bill, as in this case, leaving nothing but the caption and enacting clause, then for all parliamentary purposes the substitute is regarded as a new bill, though offered in the form of an amendment.

If however it be contended that this proposition was not a bill, and nothing more than a mere ordinary amendment not governed by the rule cited, then reference is made to "Cushing's Elements of the Law and Practice of Legislative Assemblies." See section 2813, "the general rule being as already stated, that no question can a second time be moved upon which the judgment of the house has already been expressed," &c.

This rule is further explained and expressed by a marginal note, which says, that the rule when stated broadly and fully may be thus expressed, namely, "that when the house has already done a particular thing, that thing can neither be undone or otherwise done; and that when the house has refused to do a particular thing, that thing cannot be done."

In chapter five, article one of the same work, which treats particularly of the general rules applicable to amendments, we find the two following rules:

Section 1307, third rule—"Whatever is agreed to by the house either adopting or rejecting a proposed amendment, cannot afterwards be allowed or amended."

Section 1308, fourth rule—"Whatever is disagreed to by the assembly, cannot afterwards be moved again."

These authorities are so directly in point and so fully sustain the point of order raised as to need neither comment or argument to show that the ruling of the chair sustained by the Senate was wrong.

The undersigned respectfully submits this brief explanation of his course, in opposition to the views of the President and every other Senator voting, and asks that they be spread upon the journal.

R. JEMISON, JR.

Mr. Hardwicke, from the committee on Public Lands, to whom was referred the petition of Martha Carroll, reported a bill to authorize the commissioner of public lands to issue a patent to Martha Carroll of Calhoun county. The bill, under a suspension of the constitutional rule, was read three times and passed.

Mr. Moren offered the following resolution, which was adopted:

Resolved, the House of Representatives concurring, that the two houses assemble in the hall of the House at 12 o'clock M. on Monday next, for the purpose of electing a Superintendent of Education to fill the vacancy which will be occasioned by the expiration of the term for which the present incumbent was elected.

Mr. Wood offered a bill providing compensation for the issue of certain patents; which was read twice under a suspension of the constitutional rule.

Mr. Jemison moved to lay the bill on the table; which was carried.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably to the House bill to provide compensation to Col. J. W. Echols for services rendered in purchasing stores and provisions for the troops of the State.

On motion of Mr. Reavis, the following amendment was adopted:

Provided, however, that if the said Col. J. W. Echols is indebted to the State, or has money in his hands justly due the State, to an amount equal to said sum of twenty-two hundred dollars, or greater, the said sum hereby directed to be allowed shall not be paid, but shall be allowed to him as a set-off.

Mr. Calhoun moved to strike out the word "paid" in the first section, third line, and inserts the word "allowed;" which was adopted.

The bill was read a third time, and passed.

Mr. Crump, from the committee on Public Lands, reported an amendment as section three to the bill in relation to certain public lands in this State. The amendment was adopted.

On motion of Mr. Rice of Montgomery, the word "six" was stricken out in the second line of the second section, and the word "nine" inserted.

On motion of Mr. Coman, the words "or their assigns" were inserted in the fourth line of the first section, after the word "company."

The bill was read a third time, and passed.

Mr. Reavis, from the Select committee, reported favorably to the House bill to encourage the manufacture of fire arms and munitions of war in this State.

The bill was read a third time, and passed.

Mr. Clarke, from the committee on Corporations, reported favorably to the House bill to incorporate the Mobile Merchants and Traders' Depository.

The bill was read a third time, and passed.

Mr. Clarke, from the Judiciary committee, to whom was referred the resolution in relation to paying the mail contractors in this State since the secession of Alabama and until the Confederate States took charge of the same, reported that it was inexpedient to pass any bill on the subject.

Mr. Barnes, from the same committee, made the following minority report:

The undersigned, members of the committee on the Judiciary, to which committee was referred the resolution and petition of certain parties in relation to the propriety and justice of the State paying the different mail contractors in this State from the eleventh day of January, 1861, to the time the Confederate government took charge of the same, beg leave to present to the Senate for their consideration and adoption the following minority report:

We believe the contractors were induced to carry out the contracts made with the United States government before the secession of the State, after the State seceded, in consequence of the ordinance passed by the convention on the subject of postal arrangements, believing that the State intended to assume the payment of the same; that whether the ordinance aforesaid bound the State in express words and legal effect (which the undersigned inclined to believe) to pay the different contractors for services rendered after secession, they are of opinion that the State, under the circumstances, is estopped from denying her liability in equity and justice to pay the same, upon the ground that the ordinance of the convention was well calculated to induce such a belief on the part of the contractors. The undersigned are therefore of opinion that the State in justice and equity ought to pay the same. And as a part of this report the undersigned present the following bill:

To compensate mail contractors for services rendered under an ordinance of the State convention, adopted January 15th, 1861. All of which is respectfully submitted.

(Signed)

W. H. BARNES,

T. REAVIS,

THOS. A. WALKER,

J. A. LEWIS,

EDW'D L. MCINTYRE.

Mr. Barnes moved to lay the minority report on the table.

On motion of Mr. Clarke, the bill and reports were made the special order for 7 P. M.

Mr. Lewis introduced a bill to allow appeals to the county superintendent of free public schools in the county of Russell.

Mr. Reavis, to amend section seven of an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama;

Mr. Toulmin, a bill to legalize certain entries of land.

All of which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Harrison, a bill to authorize the Governor to issue State bonds and treasury notes to supply the deficiencies in the treasury, and to extend debts for borrowed money;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

Also, the following resolution:

Resolved, That the committee on Public Lands be instructed to inquire into the expediency of abolishing the various land offices except to continue but one, and that to be at the capitol of the State, and to report by bill or otherwise.

On motion of Mr. Brewer, the resolution was laid on the table.

On motion of Mr. Morgan, the Senate proceeded to the consideration of the messages from the House.

The bill making appropriations for the fiscal year ending 30th September, 1862, was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The memorial to the Congress of the Confederate States of America in relation to the sequestration act was referred to the Judiciary committee.

Mr. Brewer, from the committee on Enrolled Bills, reported as correctly enrolled the following:

An act for the relief of R. A. Moody and others;

An act for the relief of the First Alabama Cavalry Regiment;

An act for the relief of Wm. Johnson, and other tax collectors.

The Senate then adjourned until 7 P. M.

NIGHT SESSION.

The Senate met pursuant to adjournment.

A message was received from the House, announcing the passage of the following bills:

To provide for the erection of a building at Manassas, for the protection of clothing, and other articles, etc.;

To supply any deficiencies in the treasury which may be caused by an excess of appropriations, etc.;

To amend an act to regulate judicial proceedings, and for other purposes, approved February, 8th, 1861;

Making resistance to a city officer a misdemeanor;

For the relief of tax payers and collectors;

Giving one-half of the fine to informants in certain cases;

For the relief of the Soldiers' Aid Society of Montgomery, and for other purposes.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing the approval of the following bills:

An act for the relief of the First Alabama Cavalry Regiment;

An act for the relief of R. A. Moody and others;

An act for the relief of Wm. Johnson, and other tax collectors;

An act to amend sections 2033 of the code;

To amend section 672 of the Code;

To amend the charter of the town of Gainesville;

An act to aid in the defenses of Mobile, approved Nov. 9, 1861;

An act supplemental to two several acts in relation to the manufacture of salt;

An act to allow compensation to guardians, executors and administrators in certain cases;

An act to repeal an act entitled an act to confer upon the intendant of the town of Rockford the powers of a justice of the peace, and for other purposes;

An act to transfer the executorship of Robert Craig, deceased, from the probate court of Sumter county to the probate court of Dallas county.

On motion of Mr. Barnes, the vote by which the Senate refused to pass the House bill for the relief of settlers on public lands in Winston county, was reconsidered, and the Senate again refused to pass the bill.

On motion, the special order, being the bill to repeal sections two and three of an act therein designated was postponed till Monday next, and made the special order for that day at eleven o'clock.

Mr. Jemison, from the committee on Finance and Taxation, reported favorably to the House bill to authorize the Governor to employ two secretaries.

The bill was read a third time, and passed.

Also, favorably to the Senate bill to authorize the Governor to issue State bonds and treasury notes, to supply deficiencies in the treasury, and to extend debts for borrowed money.

On motion, the bill was recommitted to the committee on Finance and Taxation.

Mr. Jemison, from the same committee, reported adversely to the House bill to allow peddlers to peddle in certain articles in Dale county without license.

Mr. Wood moved to lay the report on the table, which was lost.

The report was then concurred in.

Mr. Reavis, from the Judiciary committee, reported adversely to acting on the petition of Thompson Gault and others.

The report was concurred in.

Also, from same committee, that the petition of John McMay, which was referred to said committee, should be referred to the committee on Finance and Taxation.

The report was concurred in, and the petition referred to the committee on Finance and Taxation.

Mr. Jewett, from committee on Judiciary, reported the following amendment to the House bill to authorize the establishment of private roads:

Strike out all the second section after the word "roads," in the tenth line.

The amendment was adopted, and the bill read a third time, and passed.

Mr. Barnes, from same committee, reported favorably to the House bill to amend section 4 of an act to exempt from sale under any legal process all necessary wearing apparel for the use of each family in the State, approved February 18th, 1854.

The bill was read a third time, and passed.

Mr. Rice of Montgomery, from same committee, reported adversely to the bill to repeal an act approved January 25th, 1861, entitled an act to repeal the 6th section of an act approved Feb. 21, 1860.

The bill was read a third time, and passed.

Mr. Davis, from same committee, reported favorably to the House bill to transfer the county of Conecuh from the second

chancery district of the Southern Division to the seventh chancery district of said Division, composed of the counties of Butler and Covington.

The bill was read a third time, and passed.

Mr. Walker, from same committee, reported favorably to the bill for the relief of John F. Pugles.

The bill was read a third time, and passed.

Mr. Ligon, from same committee, reported adversely to the joint resolution proposing amendments to the constitution of the State in relation to the jurisdiction of justices of the peace.

The report was concurred in.

Tr. Toulmin, from select committee, to whom was referred the House bill to amend the charter of the Mobile Savings Bank, reported the following amendment, to be added to the end of the last section:

Provided, however, that before the said Savings Bank shall take any benefit or privilege under the provisions of this act, it shall purchase from the Governor of this State fifty thousand dollars of the bonds of this State at par, and shall be under obligations to make annual returns of its condition and the names of its stockholders to the Governor, and shall pay the same rate of taxes to the State as is required by the existing law to be paid by the Bank of Selma.

The amendment was adopted, and the bill read a third time, and passed.

The Senate proceeded to the consideration of the messages from the House:

The House bill to supply any deficiency in the treasury which may be caused by an excess of appropriations at the present or late extra session of the General Assembly was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The House bills—

For the relief of William L. Walker, jailor of Marshall county;

For the relief of sick soldiers from Alabama in the army of the Potomac;

For the relief of Cornelia J. Wyatt;

Were severally read three times under a suspension of the constitutional rule, and passed.

The House bill for the relief of William O. Royer and George F. Guise, treasurer of township 3, range 14, of the

county of Franklin, was read three times under a suspension of the constitutional rule, and passed. Yeas 15—nays 13.

Yeas—Messrs. Barnes, Clarke, Coleman, Crump, Hill, Jackson, Matthews, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Toulmin, Walker and Wood.

Nays—Messrs. President, Calhoun, Coman, Davis, Groce, Hammond, Hardwicke, Harrison, Heflin, Jemison, Jewett, Ligon and Moren.

The House bill for the relief of the Soldiers' Aid Society of Montgomery, and for other purposes, was read twice under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

Mr. Clarke moved to adjourn until 15 minutes past 9 o'clock Monday morning, which was lost. Yeas 12—nays 14.

Yeas—Messrs. President, Barnes, Calhoun, Clarke, Coman, Hammond, Heflin, Hill, Ligon, Matthews, Moren and Morgan.

Nays—Messrs. Crump, Davis, Groce, Harrison, Jackson, Jemison, Jewett, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery, Toulmin, Walker and Wood.

By leave, Mr. McIntyre introduced a bill for the relief of John McMay, of Pike county, which was read three times under a suspension of the constitutional rule, and passed.

The Senate proceeded to the consideration of the House bill to amend an act entitled an act to regulate judicial proceedings, and for other purposes, approved Feb. 8th, 1861, which was read twice.

Mr. Clarke moved to postpone the consideration of the bill until Monday, and make it the special order for the hour of half past 9 o'clock, which motion was lost.

The Senate proceeded to consider the bill *seriatim* by sections.

The first section having been read, and after discussion had thereon,

The Senate adjourned until 15 minutes past 9 o'clock Monday morning.

MONDAY, December 11.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ferguson.

Mr. Morgan, from the joint committee appointed to examine the offices of Comptroller and Treasurer, made the following report:

The joint committee of the two Houses of the General Assembly, appointed by the presiding officers of each House

as provided for by section 34 of the Code, to examine the offices of the Comptroller and Treasurer, reported that they had examined carefully the books and vouchers of the Comptroller's office, from the 30th September, 1859, to the 30th September, 1861, a period of two years, comparing the vouchers with the entries thereof in the books, carefully casting up the footings, and testing the extensions, all of which they found to be correct, and that all the warrants drawn during the two fiscal years ending as above were issued in pursuance of law.

Your committee find the amount of receipts and disbursements during the term embraced in this examination, as shown by the Comptroller's books, were as follows:

The receipts during the fiscal year ending 30th September, were.....	\$912,722 73
Add balance on hand 30th September, 1859...	631,679 00
Making an aggregate sum of.....	\$1,544,401 73
The disbursements during the same period were	939,744 68
Leaving balance on hand, 30th September, 1860, of.....	\$604,657 05
The receipts during the fiscal year ending 30th September, 1861, were.....	\$1,013,045 61
Making a total means for 1861 of.....	\$1,617,702 66
The disbursements during the same period were.....	\$1,324,037 29
Showing a balance September 20th, 1861, in this department of.....	\$293,665 37

Your committee also examined all the books and vouchers in the Treasurer's office for the two fiscal years ending 30th September, 1861, in the civil department, and find the same agree precisely, both as to receipts and disbursements, with the amounts charged and credited in the Comptroller's office, as hereinbefore reported by your committee.

From this comparison of the operations of the two offices, your committee find that the

balance due the State in this department on the 30th September, 1861, was.....	\$293,665 37
That the receipts from the 30th September to the 5th December were.....	\$94,451 93

Making together the sum of.....	\$388,117 30
That the disbursements from the 30th September to the 5th December, 1861, were.....	66,146 67

Showing a balance due on 5th December, 1861, in the civil department of.....	\$321,969 63
All of which was counted by your committee, and found to be remaining in the Treasury on that day, as stated by the Treasurer.	

Your committee would also report that they have examined the account of receipts and disbursements in the Military Department, Treasurer's office, and find that the entire amount received for the military defenses of the State, including interest and repayments in the fiscal year ending September 30th, 1861, was.....

That the disbursements during the same time on warrants of the Auditor were.....	\$679,774 09
	\$462,536 41

Leaving a balance in the treasury to the benefit of this department of.....	\$217,237 68
That the receipts from 30th September, 1861, to 5th December, 1861, have been.....	\$460,101 89

Making together the sum of.....	\$677,339 57
That the disbursements from 30th September, 1861, to 5th December, 1861, have been.....	\$336,780 87

Showing a balance due this State on the 5th December, 1861, in the Military Department of.....	\$340,558 70
All of which was shown by the Treasurer and counted by your committee, and found to be correct, as stated by that officer.	

Your committee has also examined the register of bank notes destroyed by the burning, as made in the Treasurer's office agreeable

to the act of the General Assembly, and found that of the notes issued by the State Bank and branches the sum of six thousand nine hundred and sixty-four dollars have been registered and burned as required by law, that is to say:

Of the notes issued by the State Bank of Alabama, the sum of.....	\$3,323 00
Of the notes issued by the Branch Bank at Mobile, the sum of	3,241 00
Of the notes issued by the Branch Bank at Decatur, the sum of.....	656 00
Of the notes issued by the Branch Bank at Montgomery, the sum of.....	709 00
Of the notes issued by the Branch Bank at Huntsville, the sum of.....	35 00

As shown by the register of said notes and certificates of his excellency the Governor, and the Comptroller of Public Accounts.

All of which is respectfully submitted.

JOHN P. MORGAN,
Chairman Senate Committee.

A. G. MABRY,
Chairman House Committee.

Message from the House by Mr. Clitherall.

HOUSE OF REPRESENTATIVES,
Dec. 9, 1861. }

Mr. President:

The House has originated and passed the following bills:

For the relief of Pleasant A. Cumby and Isaac B. Cannon;

To authorize the legal voters of Walker county to elect the assessor and tax collector when vacancy occurs in said county;

To pay the hire of servants during the present and extra session of the General Assembly;

For the relief of the tax assessor of Pickens county;

To amend the charter of the Mobile Wine Company;

To modify an act approved December 17th, 1859, entitled an act to prevent the sale of vinous or spirituous liquors in the town of Lexington, in beat No. two in Tuscaloosa county;

To provide for the indexing of the records of land patents in the office of Secretary of State;

For the early publication of the general or public acts of the General Assembly;

To make an appropriation for defraying the funeral expenses of Hon. J. C. Spencer;

For the relief of the editors of the "Montgomery Advertiser;"

To authorize the Governor to have the Capitol repaired;

For the relief of James M. Wright, superintendent of the Glennville Military Academy;

For the relief of George Field, sheriff of Green county;

To authorize the Governor to arm and equip troops for the public defense;

To extend the time for the tax collector of Cherokee county to collect the taxes of said county, and make settlement;

For the relief of E. John Kirksey;

To require parties to civil actions to give bonds for costs in certain cases;

To change the time of the election of representatives from Alabama to the Congress of the Confederate States, and passed;

Joint resolution authorizing the Governor to ascertain the value of the steamer Florida, taken for the public use, and make compensation therefor;

Joint resolution requiring the Secretary of State to furnish for distribution copies of the ordinances and constitution of the State of Alabama, with the constitution of the provisional government of the Confederate States.

And amended the resolution of the Senate proposing to elect a Superintendent of Education to-day by adding "also an Adjutant and Inspector General;" and passed the Senate bill

To incorporate the Mobile Steamboat Captains' and Owners' Union and Benevolent Association of Mobile.

And refused to concur in the amendments of the Senate to the House bill to amend an act approved February 8th, 1858, to fix the mode of conveying the estates of husband and wife.

And refused to pass the Senate bill regulating the issue of executions in cases where one or more of the plaintiffs may be dead, and for other purposes.

On motion of Mr. Moren, the message of the House amending the resolution proposing to elect a Superintendent of Public Schools was taken up.

On motion of Mr. Toulmin, the amendment was amended by adding "and Quartermaster General of the State."

The amendment of the House, as amended, was concurred in.

Message from the House announcing that the House concurs in the amendment of the Senate to the amendment of the House to the Senate resolution proposing to elect a Superintendent of Public Schools to-day at 12 m., and the passage of the following House bill:

To amend an act for the relief of the First Alabama Cavalry Regiment.

And of the following Senate bills:

To provide for publication in certain cases;

To appropriate the balance of the three per cent fund now in the treasury of the State;

For the relief of insane convicts in the penitentiary;

For the relief of the minor heirs of Le Grand Parker, deceased;

For the relief of John R. Moss;

For the relief of Georgia Ann Wood;

For the relief of Martha T. Carter and Mrs. Mary C. Easters;

For the relief of certain parties therein named;

To relieve certain volunteers and soldiers from accounting for clothing;

To amend section 3576 of the Code;

To amend the law in relation to public roads in Marengo county;

To amend the charter of the Jasper Male and Female Academy, and for other purposes;

To amend the act approved Feb. 8th, 1861, to regulate judicial proceedings, etc.;

To incorporate the Grand Commandery of Knights Templar, and the appendant orders thereof of the State of Alabama;

To incorporate the East Alabama Insurance Company;

To incorporate the Chemical Manufactory;

In relation to the location of bounty land warrants;

To legalize certain entries of land;

In relation to certain public lands in this State;

To require the commissioner of public lands to issue a patent to Mrs. Martha Carroll, of Calhoun county;

The better to secure the payment of the fees of the clerk of the circuit court of Walker county, in this State;

To change the time of holding the chancery courts of the counties of Sumter, Marengo and Choctaw;

To suspend the revision of the Code and the acts relating thereto;

To authorize the sale of the property of township 16, range 17;

To allow appeals to the county superintendent of public schools in the county of Russell;

To amend and explain an act making Tuscaloosa and La Grange or its vicinity a military rendezvous for certain purposes;

To legalize the proceedings of the Governor in supplying the volunteers of Alabama with clothing;

To transfer the unexpended balance of appropriations for the relief of the deaf and dumb remaining in the hands of the State Superintendent of Public Education under an act for the relief of the deaf and dumb, approved February 4th, 1858, to the Alabama Institution for the deaf and dumb;

To prevent the sale of spirituous liquors within one mile of Shorterville church, in Henry county.

And has amended and passed the Senate bills—

To amend section 1056 of the Code so far as the counties of Walker and Lowndes, were concerned;

To amend the charter of the town of Marion, in Perry county, and Montevallo, in Shelby county.

And also passed the Senate bill to provide for the sick and wounded volunteers who may rendezvous at or be sent to Florence.

And concurs in the amendment of the Senate to the House bill to amend the charter of the Mobile Savings Bank.

Mr. Rice of Jackson moved to reconsider the vote by which the Senate refused to pass the House bill to allow peddlers to peddle in certain articles in Dale county without license.

On motion of Mr. Coman, the motion was laid on the table.

Mr. Brewer introduced a bill to repeal section 23 of an act to incorporate the Pensacola and Mobile Railroad Company, which was read twice under a suspension of the constitutional rule.

On motion of Mr. Ligon, the bill was laid on the table.

Mr. President, Mr. Coleman in the chair, a bill to provide for the sick and wounded volunteers who may rendezvous at

or be sent to Florence; which was read three times under a suspension of the constitutional rule, and passed.

Mr. Jemison, a bill to provide for publication in certain cases; which was read three times under a suspension of the constitutional rule, and passed.

Mr. Barnes offered the following resolution; which was adopted:

Resolved, That no new business shall be introduced into the Senate except by the unanimous consent of the Senate, and that where legislation is absolutely necessary to supply some deficiency in the laws passed at the present session, or to provide for the military defence of the State.

Mr. Toulmin, from the Military committee, reported adversely to the House bill for the relief of the Soldiers' Aid Society of Montgomery, and for other purposes.

Mr. Jackson moved to lay the report on the table; which was lost. The report was then concurred in.

Mr. Barnes moved to take from the House messages the bill to amend an act for the relief of the 1st Alabama Cavalry regiment. The bill was read three times under a suspension of the constitutional rule, and passed.

On motion of Mr. Reavis, the further business of the Senate was suspended for the purpose of considering the House bill, which was under consideration at adjournment yesterday, to amend an act entitled an act to regulate judicial proceedings, and for other purposes, approved February 8th, 1861.

Mr. Reavis moved to amend by way of substitute. The substitute was adopted and the Senate proceeded to the consideration of the bill by sections, *seriatim*.

The Senate was considering the 12th section when the hour of 12 M. having arrived, the Senate proceeded to the hall of the House for the purpose of going into the elections set for this day.

Mr. Little of Sumter nominated Gabriel B. du Val for Superintendent of free public schools.

Mr. du Val being alone in nomination, having received one hundred and fifteen votes, being all the votes cast, Mr. Speaker declared him duly and constitutionally elected Superintendent of Education for the term prescribed by law.

The convention then proceeded to the election of an Adjutant and Inspector General of the State.

R. O. Pickett of Lawrence alone being in nomination, and having received one hundred and fifteen votes, being all the votes cast, Mr. Speaker declared him duly and constitu-

tionally elected Adjutant and Inspector General of the State for the term prescribed by law.

The convention then proceeded to the election of a Quartermaster General of the State.

J. McCaleb Wiley of Pike alone being in nomination, and having received one hundred and fifteen votes, being all the votes cast, Mr. Speaker declared him duly elected Quartermaster General for the State for the term prescribed by law.

There being no further business before the convention, the Senate repaired to its chamber and resumed the consideration of the twelfth section of the bill to amend an act to regulate judicial proceedings, &c.

Mr. Brewer moved to strike out the figures 1 and 4, in section sixteen, after the word "sections," which was lost.

The whole bill of nineteen sections having been read section by section, the constitutional rule was dispensed with, and the bill read a third time and passed.

The caption was amended so as to read as follows:

A bill to be entitled an act to regulate judicial proceedings.

Ordered to be sent forthwith to the House.

Mr. Rice of Montgomery moved to reconsider the vote by which the Senate refused to pass the House bill to provide for carrying out the requirements of section 34 of an ordinance in relation to the waste and unappropriated lands in the State of Alabama, adopted March 20th, 1861; which was carried. Yeas 16, nays 10.

Yeas—Messrs. Barnes, Calhoun, Clarke, Coleman, Groce, Hardwicke, Heflin, Hill, Jackson, Jewett, Morgan, McIntyre, Reavis, Rice of Montgomery, Toulmin and Wood.

Nays—Messrs. President, Brewer, Coman, Crump, Hammond, Harrison, Jemison, Ligon, Matthews and Moren.

Mr. Rice of Montgomery moved to amend by way of substitute, which was adopted.

The bill was read a third time, and passed.

Message from the House.

Mr. President:

The House of Representatives has originated and passed joint resolutions to the provisional congress; and

Joint resolutions for the relief of James H. Witherspoon and others.

Mr. McIntyre moved to rescind the resolution introduced

by Mr. Barnes in relation to the introduction of new business, and which was adopted, for the purpose of introducing a bill.

Pending the discussion of which motion, the Senate adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The motion pending being the motion of Mr. McIntyre to suspend the rule in regard to new business—the motion was put and lost.

Mr. Coman, from the committee on Enrolled Bills, reported the following as correctly enrolled:

To make transcripts from land offices evidence in certain cases;

To define the commissions on sales of registers in chancery;

Declaratory of the meaning of an act entitled an act to authorize the Governor to take possession of all the salt in store, on shipboard, or held for sale in this State, for the public use, and for other purposes, approved Nov. 9th, 1861;

For the relief of White, Pfister & Co.;

For the relief certain parties therein named;

To amend the law in relation to public roads in Marengo county;

To amend the charter of the Jasper Male and Female Academy, and for other purposes;

To relieve certain volunteers and soldiers from accounting for clothing;

To require the commissioner of public lands to issue a patent to Martha Carroll of Calhoun county;

To incorporate the Chemical Manufactory.

The Senate proceeded to the consideration of a special order, it being the bill to repeal sections two and three of an act therein named.

Mr. Jewett moved to amend by way of substitute with the following title: In relation to certain public lands in Baldwin county;

Which was adopted, and the bill read a third time and passed.

Mr. Jewett, from the committee on Public Lands, reported a bill to authorize the Governor to fix the compensation of L. S. Houston and others for services rendered the State.

The bill was read three times under a suspension of the constitutional rule, and passed.

Mr. Morgan, from the same committee, reported favorably to the following bills—

For the relief of B. F. Seal of Choctaw county ;

For the relief of James Maherg, late tax collector of Calhoun county ;

For the relief of Thomas F. Parker and others ;

For the relief of William H. Coleman.

All of which were severally read a third time, and passed.

Also, adversely to the bill for the relief of White, Pfister & Co.

The report was concurred in.

Mr. Clarke, from the Judiciary committee, reported adversely to the House bill for the relief of Drury Fair Jones and Sally Ann Jones of Dallas county, minors under the age of fourteen years.

The report was concurred in.

Mr. Toulmin, from the committee on the Military, reported it as inexpedient to pass the bill to provide for the establishment of the Alabama Arsenal.

The report was concurred in. Yeas 15, nays 9.

Yeas—Messrs. President, Barnes, Brewer, Calhoun, Clarke, Crump, Groce, Hammond, Heflin, Jackson, Jewett, Matthews, Moren, Morgan and Toulmin.

Nays—Messrs. Coleman, Hardwicke, Harrison, Hill, Ligon, McIntyre, Reavis, Rice of Jackson and Rice of Montgomery.

Mr. McIntyre, offered the following protest to the action of the majority of the Military committee :

To the Senate :

The undersigned not concurring in the report of the majority of the Military committee upon the bill introduced in the Senate by himself, begs leave to present the following minority report :

So far as the merits of the bill itself are concerned, I have not had the slightest expression of opinion on the part of the majority of the committee, and therefore am not prepared definitely to meet and answer any objection which they may have to its particular provisions. Indeed the only objection urged, so far as I am aware, against its passage is, that we have not now the means necessary to be expended in setting in operation such an institution as it contemplates. I am of opinion that until this war shall have been closed, and possibly for years afterwards, the same objection will

apply with constantly increasing force at each session of this body, if it be entitled to be considered of any force at all. Appropriations at this session of the Assembly have been numerous and quite large in amount for all purposes of provision for our military defense; and now when every member of the General Assembly, and every citizen of the State and Confederacy, is so thoroughly aware that arms of the proper quality as well as other munitions of war are in such lamentable deficiency, while at the same time provision for a full supply thereof, is the most important, most sacred and absolutely the most pressing duty we could have discharged during the present session with reference to our future and continued preparation for a vigorous and successful defense, would have been the passage of a bill like that under consideration, it will certainly seem exceedingly strange that this matter, after being so long postponed, after being deferred to so many subjects of infinitely less importance, shall at last have met with its quietus at the hands of the very body whose culpable negligence at the last session caused the very deficiency which now so imperatively demands amends from us for a past error.

At the last session it was held—we would have no war, in the first place, and in the second place, that if war should come, we had a sufficiency of all munitions of war necessary to our defence. How grievously in error we were in delaying our action, then, to a more convenient season, the sequel seems not to have convinced us. We do not know when this war shall end, and though it has been in progress now but for a few months, the complaints already of a crying evil in our army in respect to a deficiency in both the quality and number of our arms and other munitions of war, is coming up from all the land. We did not believe the enemy could or would make war at first; next, that if he did he could not raise his half million of men. We do not now know, but on the contrary we have the best reason to believe, that he will raise a half million more, and then we must raise at least half that many to meet them. The inquiry how we shall arm them is quite pertinent. The manufactories in operation could not supply them if kept steady at work for ten years. What shall we do, in the meantime? It will not do to rely on the clandestine importations, for recent events certainly show that our enemies, aided by the folly of our own people in exposing this means of supply, having ample means, will surely close our coast against every successful venture of that kind. Supplies cannot come to

us from any other source. I have no account in this report of the absolute necessity that every people should be entirely independent in its supply of warlike materials of all others. The Senate are aware, however, of its existence and importance. If we must have arms, then, why not commence now? Why not show to our enemies that we have resources of our own, inexhaustible in themselves, and that we are making preparation for a war of any length desired by them. If we put this subject off now, it may be put off again. If not, and the war continues, we will be already at work; when otherwise we will have but just commenced to prepare for opening the way to work. Again, so far from being an expense to the State; so far from being able to provide means to establish such an institution, it will be self-sustaining and will soon pay for itself, and eventually, if the State desires it, she can sell out at a profit. Suppose the necessary steps had been taken last winter, we would not now sell out at a profit of several hundred per cent.

Not desiring, however, to weary the Senate, while I feel a greater interest in this subject than any other, I conclude by protesting against any further delay in making preparation for an immediate and vigorous effort to press forward to a successful conclusion the establishment of an institution which, so far from impoverishing, I believe will enrich the State and make us well prepared for our future defense. Under all the circumstances, not here within the ken of man, some of which, while they may be looked for by all the rest of the world, will startle us and cause us to regret the day when we even contemplated such delay.

Very respectfully,

E. L. McINTYRE.

Mr. Jackson introduced a bill to provide for the sick and wounded soldiers at Tuscumbia; which was read twice.

Mr. Morgan moved to amend by striking out \$2,500 and inserting \$5,000; which was carried, and the bill read a third time and passed.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled—

To incorporate the Pensacola and Mobile Rail Road Company;

To amend the charter of the Southern Military Academy;

To authorize certain settlements in the probate court of this State;

To amend the Military Code of Alabama, adopted February 10th, 1852;

To revive and amend an act entitled an act to incorporate the Eufaula Marine and Fire Insurance Company, approved February 9th, 1861;

For the relief of Washington Brakefield, jailor of Chambers county;

To require the Secretary of State to procure for the State library the acts of the legislatures of the several Confederate States;

To repeal section 3 of an ordinance to authorize colonels of volunteer regiments to appoint their own staff officers;

To amend section 9, chapter 10 of the Military Code of Alabama;

For the relief of W. B. & A. R. Bell & Co.;

To appropriate the balance of the three per cent. fund now in the treasury of the State;

To provide for publication in certain cases;

For the relief of Georgia Ann Wood, late of Covington county, but now of Choctaw county;

For the relief of Mrs. Martha L. Carter of Montgomery county, and Mrs. Mary C. Easters of Pike county;

For the relief of John R. Moss;

For the relief of the minor heirs of Legrand Parker, deceased;

For the relief of insane convicts in the penitentiary;

To amend section 3576 of the Code;

To legalize certain entries of land;

In relation to certain public lands in this State;

To incorporate the East Alabama Insurance Company;

To transfer the unexpended balance of appropriations for the relief of the deaf and dumb of this State, remaining in the hands of the State Superintendent of Education, under an act entitled an act for the relief of the deaf and dumb, approved February 4th, 1858, to the Alabama Institute for the deaf and dumb;

In relation to the location of bounty land warrants;

To prevent the sale of spirituous liquors within one mile of Shortersville church in the county of Henry;

Mr. Hardwicke, from the committee on Public Lands, to whom was referred a resolution instructing them to inquire into the expediency of reducing the price of public lands, reported the following bill:

A bill to reduce the price of public lands in the State of Alabama; which was read twice under a suspension of the constitutional rule, pending the consideration of which the Senate adjourned until 7 o'clock to-night.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The question pending being the bill introduced by Mr. Hardwicke, from the committee on Public Lands, which was under consideration at adjournment,

On motion of Mr. Hardwicke, the bill was laid on the table.

The Senate proceeded to the consideration of the House messages.

The amendments of the House to the following Senate bills were concurred in:

To prevent the commission of certain trespasses;

To amend an act to incorporate the Woodville Insurance Company;

To amend an act to incorporate the Eufaula Home Insurance Company, approved February 8th, 1861, and for other purposes;

To amend the charter of the town of Marion, in Perry county, and Montevallo, in Shelby county;

For the relief of Fielding Love, jailor of Calhoun county, and other persons therein named.

Message from the Governor by his Private Secretary, Mr. Albright, announcing his approval of the following bills:

For the relief of certain volunteers;

To appropriate the balance of the three per cent. fund now in the Treasury of the State;

For the relief of White, Pfister & Co.;

To amend the charter of the Southern Military Academy;

To define the commissions on sales of registers in chancery;

To make transcripts from land offices evidence in certain cases;

To authorize certain settlements in the probate courts in this State;

To incorporate the Pensacola and Mobile Rail Road Co.;

To amend the Military Code of Alabama, adopted February 10th, 1852;

Declaratory of the meaning of an act entitled an act to authorize the Governor to take possession of all the salt in store, on shipboard, or held for sale in this State, for the public use, and for other purposes, approved November 9th, 1861;

To provide for publication in certain cases;

For the relief of Mrs. Martha L. Carter of Montgomery, and Mrs. Mary C. Easters of Pike county;

For the relief of W. B. & A. R. Bell & Co.;

For the relief of Georgia Ann Wood, late of Covington, but now of Choctaw county;

For the relief of certain parties therein named;

For the relief of Washington Brakefield jailor [of Chambers county];

To amend section 9, chapter 10, of the military code of Alabama;

To repeal section 3 of an ordinance to authorize colonels of volunteer regiments to appoint their own staff officers;

To require the Secretary of State to procure for the State library the acts of the Legislatures of the several Confederate States;

To revive and amend an act entitled an act to incorporate the Eufaula Marine and Fire Insurance Company, approved Feb. 9th, 1861;

For the relief of John R. Moss;

For the relief of the minor heirs of LeGaand Parker, deceased;

To amend section 3576 of the code;

To amend the law in relation to public lands in the county of Marengo;

To relieve certain volunteers and soldiers from accounting for clothing;

To amend the charter of the Jasper Male and Female Academy, and for other purposes;

To incorporate the Chemical Manufactory;

To require the commissioner of public lands to issue a patent to Martha Carroll of Calhoun county;

In relation to certain public lands in this State;

To incorporate the East Alabama Insurance Company;

For the relief of insane convicts in the penitentiary;

To legalize certain entries of land;

In relation to the location of bounty land warrants;

To prevent the sale of spirituous liquors within one mile of Shorterville Church, in the county of Henry;

To transfer the unexpended balance of appropriations for the deaf and dumb remaining in the hands of the State Superintendent of Education, under an act entitled an act for the relief of the deaf and dumb, approved February 4th, 1858, to the Alabama institution for the deaf and dumb.

The Senate proceeded to the consideration of the House messages.

Joint resolution for the relief of James Witherspoon and others;

The House bills—

To pay for the hire of servants during the extra and present session;

Fixing the time of meeting of the General Assembly of the State of Alabama;

To provide for the erection of a building at Manassas for the protection of the clothing and other articles of Alabama volunteers in the army of the Potomac;

Were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Jemison, from the committee on Finance and Taxation, reported the following amendments to the House bill to supply any deficiency in the treasury which may be caused by an excess of appropriations at the present of late extra session of the General Assembly:

To amend first section. In line fourteen of said section, strike out the words "and bearing interest not to exceed eight per cent. per annum," and in same section strike out all of the proviso:

Amend section 3, by striking out in the third line the word "advance," and insert the word "whom."

Amend section 5, by striking out the proviso and add an independent section in lieu thereof, as section 6.

Amend further by an additional section, as section 7.

The amendments were adopted, the bill read a third time and passed.

The House bill for the relief of tax payers and collectors, was read twice under a suspension of the constitutional rule.

Mr. Calhoun offered the following amendment, which was adopted:

Provided, if in the opinion of the Governor any of the banks of this State shall become unsafe, he may by proclamation and by notice to tax collectors prohibit the reception of the bills of any such bank.

Mr. Rice of Montgomery offered the following amendment, which was adopted:

Provided, further, that the written assent of the securities of the several tax collectors to the extension provided for by this act, shall be obtained by the several tax collectors and filed with the Comptroller of Public Accounts and approved by the comptroller before the said extension shall take effect.

The bill was read a third time and passed.

The House bill to amend an act, approved February 8th,

1858, to fix the mode of conveying the estates of husband and wife, as amended by the Senate,

The question being on receding or insisting on its amendment,

The bill was laid on the table.

The House bill to authorize the Governor to arm and equip troops for the public defense, was read twice.

Mr. Toulmin moved to amend by additional section, as section 5.

On motion of Mr. Reavis, the amendment was laid on the table, and the bill referred to a select committee composed of Messrs. Reavis, Clarke and Jackson.

The Senate proceeded to the consideration of a special order which had been informally passed by, it being the bill to compensate mail contractors for services rendered under an ordinance of the State convention, adopted January 15, 1861.

The question pending being on ordering the bill to a third reading,

The bill was laid on the table. Yeas 13, nays 10.

Yeas—Messrs. President, Brewer, Calhoun, Clarke, Coman, Davis, Harrison, Jackson, Jemison, Jewett, Ligon, Morgan and Toulmin.

Nays—Messrs. Barnes, Crump, Groce, Hammond, Hill, Moren, Reavis, Rice of Jackson, Walker and Wood.

A message was received from the House by Mr. Clitherall, announcing that the House concurs in the amendment made by the Senate to the House bill to regulate judicial proceedings.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

To allow appeals to the county superintendent of free public schools in Russell county;

To authorize the sale of the property of township 16, range 17;

To amend the act, approved February 8, 1861, entitled an act to regulate judicial proceedings, and for other purposes;

To change the time of holding the chancery courts of the counties of Sumter, Marengo and Choctaw;

To suspend the revision of the Code and the acts relating thereto;

The better to secure the payment of the fees of the clerk of the circuit court of Walker county in State cases;

For the relief of Fielding Love, jailor of Calhoun county, and other persons therein named;

To incorporate the Grand Commandery of Knights Templar and the appendant orders of the State of Alabama;

To provide for the sick and wounded volunteers who may rendezvous at or be sent to Florence;

To amend and explain an act making Tuscaloosa and La-Grange, or its vicinity, a military rendezvous for certain purposes;

To legalize the proceedings of the Governor in supplying the volunteers of Alabama with clothing;

To amend an act to incorporate the Woodville Insurance Company, and for other purposes;

To amend an act to incorporate the Eufaula Home Insurance Company, approved 8th February, 1858, and for other purposes.

Message from the Governor announcing his approval of the following bills:

For the relief of Fielding Love, jailor of Calhoun county, and other persons therein named;

To change the time for holding the chancery courts of the counties of Sumter, Marengo and Choctaw;

To suspend the revision of the Code and the acts relating thereto;

To amend the act, approved 8th February, 1861, entitled an act to regulate judicial proceedings, and for other purposes;

To allow appeals to the county Superintendent of free public schools in the county of Russell;

The better to secure the fees of the clerk of the circuit court of Walker county in certain cases;

To authorize the sale of the property of township 16, range 17, to provide for the sick and wounded volunteers who may rendezvous at or be sent to Florence;

To legalize the proceedings of the Governor in supplying the volunteers of Alabama with clothing;

To incorporate the Grand Commandery of Knights Templar and the appendant orders of the State of Alabama;

To amend and explain an act making Tuscaloosa or its vicinity a military rendezvous for certain purposes;

To amend an act to incorporate the Woodville Insurance Company, and for other purposes.

Mr. Jemison, from the committee on Finance and Taxa-

tion, reported the following amendments to the House bill to raise revenue from crops loaned, and for other purposes;

Amend section 2 by striking out all of said section and inserting in lieu thereof another section, as section 2; and by striking out the proviso in said section and inserting in lieu thereof a separate section, as section 3. The amendments were adopted.

Mr. Jackson moved to amend by adding after the word "crops" in the first section, "or the proceeds thereof." The amendment was adopted.

The bill was read a third time and passed. Yeas 16, Nays 5.

Yeas—Messrs. Brewer, Calhoun, Clarke, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jewett, Morgan, Reavis, Rice of Montgomery, Toulmin and Walker—16.

Nays—Messrs. President, Barnes, Ligon, Moren and Wood—5.

The joint resolution from the House authorizing the Governor to ascertain the value of the steamer Florida taken for the public use, and make compensation therefor, was read twice.

Mr. Ligon proposed to postpone the further consideration of the resolution until to-morrow morning 10 o'clock,

Pending the consideration of which the Senate, on motion of Mr. Clarke, adjourned to to-morrow morning 9½ o'clock. Yeas 16; Nays 5.

Yeas—Messrs. President, Brewer, Calhoun, Clarke, Crump, Davis, Groce, Harrison, Heflin, Jackson, Jemison, Ligon, Moren, Toulmin, Walker and Wood—16.

Nays—Messrs. Hardwicke, Hill, Morgan, Reavis and Rice of Montgomery—5.

TUESDAY, December 10, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Brewer, Senator from Coosa.

The reading of the journal was dispensed with.

A message was received from the House announcing that the House had passed the following bill:

For the relief of John McMay of Pike county.

Mr. Reavis, from the Select committee, reported favorably, with amendments, to the House bill to authorize the Governor to arm and equip troops for the public defense.

The bill and report were laid on the table.

A message was received from the House announcing that the House had concurred in the second amendment, and refuses to concur in the first amendment made by the Senate to the House bill to raise revenue from crops loaned, and for other purposes.

ALEX. B. CLITHERALL, Clerk.

Mr. Rice of Montgomery moved to rescind the resolution introduced on yesterday in regard to the introduction of new business, in order to allow him to introduce a bill. The motion was put and lost. Yeas 10, Nays 16.

Yeas—Messrs. Brewer, Groce, Hammond, Harrison, Matthews, Morgan, McIntyre, Reavis, Rice of Montgomery and Wood—10.

Nays—Messrs. President, Barnes, Calhoun, Clarke, Coleman, Coman, Crump, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Moren, Toulmin and Walker—16.

Mr. Calhoun moved to reconsider the vote just taken.

Mr. Clarke moved to lay the motion on the table; which was lost.

The motion to reconsider was then put and carried. Yeas 22, Nays 5.

Yeas—Messrs. President, Brewer, Calhoun, Coleman, Coman, Crump, Davis, Groce, Hardwicke, Hammond, Hill, Jemison, Jewett, Ligon, Matthews, Moren, Morgan, McIntyre, Reavis, Rice of Jackson, Rice of Montgomery and Wood—22.

Nays—Messrs. Barnes, Clarke, Heflin, Jackson and Toulmin—5.

By leave, Mr. Rice of Montgomery withdrew his motion to rescind.

By unanimous consent, Mr. Rice of Montgomery introduced the following bill:

Supplemental to the act to regulate Judicial proceedings, passed at the present session; which was read twice under a suspension of the constitutional rule.

Mr. Hill moved to amend by substitute, which, on motion of Mr. Jemison, the substitute was laid on the table.

Mr. Jemison moved to lay the bill on the table; which was lost. Yeas 14, Nays 14.

Yeas—Messrs. Barnes, Calhoun, Clarke, Heflin, Jackson, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Toulmin, Walker and Wood—14.

Nays—Messrs. President, Brewer, Coleman, Coman, Crump,

Groce, Hammond, Hardwicke, Harrison, Hill, Matthews, McIntyre, Rice of Jackson and Rice of Montgomery—14.

Mr. Clarke moved to amend as follows:

Provided this act shall not apply to debts hereafter contracted, in liquidation of present or past indebtedness, where it is expressed on the face of the contract that it shall not be subject to the provisions of the act hereby amended by this act.

On motion of Mr. Morgan, the bill and amendment were laid on the table.

The Senate proceeded to the consideration of the House messages.

The Senate insisted on its amendment to the House bill to raise revenue from crops loaned, and for other purposes.

Mr. Jemison, from the committee on Finance and Taxation, to which was referred the House bill making appropriations for the fiscal year ending 30th day of September, 1861, reported favorably, with the following amendments:

First amendment, add additional section as section 6.

Second amendment: In last line of first page strike out "five" and insert "six."

Third amendment: At the end of first section, add "to pay the funeral expenses of James C. Spencer, three hundred and thirty-three dollars."

Fourth amendment: Strike out "State Auditor"; all which were adopted, and the bill read a third time and passed.

A message was received from the House announcing that the House had amended and passed the Senate bill in relation to debts due alien enemies;

Joint resolutions authorizing the printing of 2,500 copies of the act to regulate judicial proceedings, for distribution.

The House bills for the relief of Pleasant A. Cumby of Cherokee and Isaac B. Cannon of Butler county;

To authorize the Governor to have the capitol repaired;

To incorporate the Gulf City Insurance Company;

To amend an act entitled an act to regulate judicial proceedings, and for other purposes, approved February 8, 1861;

Authorizing the Governor to ascertain the value of the steamer Florida, taken for the public use, and make compensation therefor;

To amend section 3, chapter 4 of the Military Code;

For the relief of George Field, sheriff of Greene county;

Requiring the Secretary of State to furnish for distribution copies of the Ordinances and Constitution of the State of Alabama, with the Constitution of the Provisional Government of the Confederate States of America ;

For the relief of the tax assessor of Pickens county ;

To prevent corporations from becoming stockholders under the free banking law of this State ;

To amend an act entitled an act to incorporate the Alabama Direct Trade and Exchange Company, approved 3d February, 1852, and the acts supplemental thereto ;

For the relief of the editor of the "Montgomery Advertiser ;"

For the relief of James M. Wright, Superintendent of the Glennville Military Institute ;

To authorize the printing of 2500 copies of the act to regulate judicial proceedings for distribution ;

Were severally read three times under a suspension of the constitutional rule, and passed.

Message from the House, announcing that the House insisted on its disagreement to the amendment of the Senate to the House bill to raise revenue from crops loaned, and for other purposes ;

Messrs. Walden, Benners and Parker are the committee on the part of the House.

Also, concurs in the amendments made by the Senate to the House bill making appropriations for the fiscal year ending 30th September, 1862.

The Senate agreed to the appointment of a committee of conference upon the bill to raise revenue from crops loaned, and for other purposes.

Messrs. Calhoun, Clarke and Jemison were appointed the committee on the part of the Senate.

The House bills—

To provide for the indexing of the records of land patents in the office of Secretary of State ;

To provide for printing and distributing the Military Code of Alabama, and for other purposes ;

For the relief of John Camp, of Jefferson county ;

To amend the charter of the Mobile Wine Company ;

To repeal an act therein named ;

To authorize the legal voters of Walker county to elect the assessor and tax collector when vacancy occurs in said county ;

To modify an act approved December 17th, 1859, entitled an act to prevent the sale of vinous or spirituous liquors in

the town of Lexington, and in beat No. two in Tuscaloosa county;

Making resistance to a city officer a misdemeanor;

Giving half the fine to informants in certain cases;

Joint resolutions to the Provisional Congress;

To require parties to civil actions to give bonds for costs in certain cases;

To change the time of the election of representatives from Alabama to the Congress of the Confederate States;

For the relief of E. John Kirksey;

To cause the justices of the peace in Coffee county to perform the duties of road apportioners, and for other purposes;

To charter the Southern Direct Trading Company;

Were severally read three times under a suspension of the constitutional rule, and passed.

And concurred in the House amendments to the bill

To amend section 1056 of the Code so far as the counties of Walker and Lowndes were concerned.

The House bill to provide for the early publication of the general or public acts of the General Assembly, was read twice, and laid on the table.

To incorporate the Steamboat Captains' and Owners' Benevolent Association of Mobile, was read once, and indefinitely postponed.

Mr. Morgan, from the Committee on Accounts and Claims, reported adversely to the House bill for the relief of F. Glackmeyer, of Montgomery county.

Mr. Rice of Montgomery moved to lay the report on the table, which was lost.

The report was concurred in.

Mr. Toulmin, from the committee on Military Affairs, reported adversely to the following bills:

For the relief of Mobile county;

To encourage the manufacture of saltpetre and gunpowder within the State of Alabama;

To provide for the manufacture of rifles, pistols, and other arms, within the State of Alabama.

The report was concurred in.

Mr. Calhoun, from the committee on the Judiciary, reported adversely to the joint memorial to the Congress of the Confederate States in reference to the sequestration act.

The report was concurred in.

The House bill to extend the time for the tax collector of

Cherokee county to collect the taxes of said county, and make settlements, was read once, and laid on the table.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

For the relief of John McMay, of Pike county;

To incorporate the Confederate States Express Company;

In relation to debts due alien enemies;

To amend section 1056 of the Code, so far as the county of Walker is concerned;

For the relief of Wm. H. Coleman.

Mr. McIntyre offered the following protest:

To the Senate of Alabama:

The undersigned member from the Senatorial district composed of the county of Pike, respectfully asks leave of the Senate to enter upon its journal his protest against the refusal of the body on the 9th day of December, 1861, to rescind its resolution of the same date against the introduction of new business, to give him the privilege of introducing for the consideration of the Senate a bill to be entitled "An act to prevent the depreciation within this State of the Confederate currency, and that of the State of Alabama," providing that hereafter it shall be felony for any person within this State to demand or receive in any one transaction for gold or silver, or both, in exchange for Confederate or Alabama bonds or treasury notes, or notes of free or chartered banks of Alabama, or any one or more of said classes of securities in any proportions more than five per centum discount upon the par value of said securities or notes; and further, against its forced action in adjourning while the undersigned occupied and was entitled to the floor; and further, against its unwarranted violation of its time honored custom, not to act upon a bill or motion in the absence of the party making it, uniformly observed, not only at the present session, but at all previous ones, so far as the undersigned is informed or believes, whenever it is possible for the interested party to be present, the undersigned asserting that he took his leave within three minutes of the time set on previous adjournment.

Respectfully,

EDWARD L. MCINTYRE.

A message was received from the House, announcing the passage of the Senate bill for the relief of William H. Coleman.

The Senate then adjourned until half past three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Message from the House by Mr. Eason.

Mr. President:

The House refuses to pass the Senate bill in relation to the Opelika and Oxford Railroad Company.

The House agrees to the report of the committee of conference on the bill to raise revenue from crops loaned, and for other purposes, striking out the words "in or," in section 2.

The House has amended and passed the Senate bill to abolish the office of Auditor of the Treasury of the State, created by the third section of an act making appropriations for the military defense of the State, approved February 6, 1861.

Mr. Calhoun, from the committee of conference, to whom was referred the House bill to raise revenue from crops loaned, and for other purposes, reported that the committee had amended the amendment of the Senate by striking out the words "in or," in section 2.

The Senate concurred in the report of the committee.

The Senate concurred in the amendment of the House to the bill to abolish the office of Auditor of the Treasury of the State, etc.

Message from the Governor by his Private Secretary, Mr. Albright:

Mr. President:

The Governor has approved the following Senate bills:

To prevent the commission of certain trespasses;

To amend an act to incorporate the Eufaula Home Insurance Company, approved February 8, 1861, and for other purposes;

To amend the charter of the town of Marion, in Perry county, and Montevallo, in Shelby county;

For the relief of John McMay, of Pike county;

In relation to debts due alien enemies;

To incorporate the Confederate States Express Company.

Message from the House announcing the passage of the bill to compensate the receivers of public moneys at certain district land offices in Alabama, and in relation to cancelled entries.

On motion of Mr. Barnes, the House bill to amend an act, approved February 8th, 1858, to fix the mode of conveying the estates of husband and wife, was taken from the table.

On motion of Mr. Rice of Montgomery, the bill was again laid on the table. Yeas 14, nays 5.

Yeas—Messrs. Brewer, Calhoun, Coman, Crump, Davis, Groce, Jewett, Ligon, Lewis, Morgan, Rice of Jackson, Rice of Montgomery, Toulmin and Walker.

Nays—Messrs. President, Barnes, Hammond, Moren and Reavis.

The special order being the House bill to declare the effect of orders, decrees and judgments of the probate courts, was laid on the table. Yeas 11, nays 10.

Yeas—Messrs. Barnes, Brewer, Crump, Coman, Davis, Groce, Harrison, Morgan, Rice of Jackson, Rice of Montgomery and Toulmin.

Nays—Messrs. President, Calhoun, Hammond, Hill, Jewett, Ligon, Lewis, Moren, Reavis and Walker.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing his approval of the following bills:

For the relief of William H. Coleman;

To amend section 1056 of the Code, so far as the county of Walker is concerned.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

To abolish the office of Auditor of the Treasury of this State created by the 3d section of an act making appropriations for the military defense of the State, approved Feb. 6, 1861.

The House bill to compensate the receivers of public moneys at certain district land offices in Alabama, and in relation to cancelled entries, was read twice under a suspension of the constitutional rule, and laid on the table.

The Senate then adjourned until 7 o'clock to-night.

NIGHT SESSION.

The Senate met pursuant to adjournment.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing his approval of the Senate bill—

To abolish the office of Auditor of the State Treasury created by an act entitled an act to provide for the military defense of the State, approved Feb. 8th, 1861.

A message was received from the House as follows:

Mr. President:

The House has refused to pass the Senate bill to prevent the productive energies of the country from being checked, and to make cotton available.

The House has adopted the following resolution:

Resolved, That (with the concurrence of the Senate) the two Houses will adjourn *sine die* at a quarter before 10 o'clock to-night.

Has also passed the Senate bill to authorize a reference to arbitration in certain cases.

Mr. Jemison, by unanimous consent, introduced a bill to facilitate and encourage an advance on the cotton crop of the State; which was read three times under a suspension of the constitutional rule, and passed. Yeas 15, nays 5.

Yeas—Messrs. President, Barnes, Clarke, Crump, Hammond, Hardwicke, Heflin, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Reavis and Walker.

Nays—Messrs. Brewer, Coman, McIntyre, Rice of Jackson and Wood.

Mr. Morgan moved to take from the table the House bill to declare the effect of orders, decrees and judgments of the probate courts.

Mr. Rice of Montgomery moved to postpone indefinitely the motion, which was lost. Yeas 11, nays 14.

Yeas—Messrs. President, Barnes, Brewer, Coman, Crump, Davis, Harrison, Heflin, Rice of Jackson, Rice of Montgomery and Wood.

Nays—Messrs. Calhoun, Clarke, Hammond, Hardwicke, Hill, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Reavis and Walker.

Mr. Rice of Montgomery moved to postpone the motion until Friday next.

Mr. President decided the motion out of order, as the time was beyond the probable duration of the Senate.

Mr. Rice appealed from the decision of the chair.

The question being, shall the decision of the chair stand as the decision of the Senate, it was decided in the affirmative. Yeas 19, nays 8.

Yeas—Messrs. Barnes, Brewer, Calhoun, Clarke, Coman, Crump, Hammond, Hardwicke, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Reavis, Rice of Jackson and Walker.

Nays—Messrs. Harrison, McIntyre and Rice of Montgomery.

Mr. Rice of Montgomery moved to postpone the motion until 2 minutes to 12 o'clock to-night, which was carried. Yeas 11, nays 10.

Yeas—Messrs. Barnes, Brewer, Calhoun, Coman, Crump, Davis, Harrison, Heflin, Jemison, Moren and Rice of Montgomery.

Nays—Messrs. President, Clarke, Hammond, Hardwicke, Hill, Jewett, Ligon, Lewis, Morgan, Reavis and Walker.

On motion of Mr. Jemison, the House bill to compensate the receivers of public moneys at certain district land offices in Alabama and in relation to cancelled entries, was taken up.

Mr. Jemison moved to amend as follows: Add at the end of section one, as follows:

Provided, that each person shall only be paid for the length of time during which they shall have actually performed duties as such receiver, of which services satisfactory evidence shall be made to the commissioner of public lands; and provided further, that they shall receive no pay or compensation for any services they may hereafter render.

The amendment was adopted.

Mr. Walker moved to strike out section six, which was carried.

Mr. Jewett moved to strike out section four, which was carried.

Mr. Walker moved to strike out section five, which was carried.

The bill was read a third time and passed.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

To authorize a reference to arbitration in certain cases.

A message was received from the Governor by his Private Secretary, Mr. Albright, announcing his approval of the Senate bill to authorize a reference to arbitration in certain cases.

Message from the House announcing that the House concurs in the amendments of the Senate to the House bill to compensate the receivers of public money at certain land offices in Alabama and in relation to cancelled entries.

A message was received from the House announcing the passage of the following bill:

Concerning advances on cotton.

The Senate proceeded to the consideration of the bill, which was read once, and the question being on suspending the constitutional rule to give the bill a second reading, the Senate refused to suspend. Yeas 15, nays 4.

Yeas—Messrs. President, Barnes, Calhoun, Clarke, Coman, Hammond, Hardwicke, Heflin, Jemison, Jewett, Moren, Morgan, Reavis, Rice of Montgomery and Walker.

Nays—Messrs. Brewer, Harrison, Rice of Jackson and Wood.

The Senate refused to order the bill to a second reading.

On motion of Mr. Clarke,

Resolved, That a committee of three be appointed on the part of the Senate to act with a like committee on the part of the House, to wait upon the Governor to inform him that the two Houses having finished the business before them, are now ready to adjourn *sine die*, unless he has some communication to lay before them.

The resolution was laid upon the table, and subsequently on a motion to take it from the table, it was carried. Yeas 17, nays 1.

Yeas—Messrs. President, Barnes, Brewer, Coman, Hammond, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Moren, Morgan, Rice of Jackson, Walker and Wood.

Nays—Mr. Rice of Montgomery.

Mr. Rice of Montgomery moved to strike out the words "having finished the business before them."

The Senate refused to strike out. Yeas 6, nays 11.

Yeas—Messrs. Brewer, Hill, Jewett, Reavis, Rice of Montgomery and Wood.

Nays—Messrs. President, Barnes, Coman, Hammond,

Hardwicke, Harrison, Heflin, Moren, Morgan, Rice of Jackson and Walker.

The following resolution from the House was communicated by Mr. Eason:

Resolved, (the Senate concurring) that a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate, to wait upon the Governor to inform him that the two Houses having finished the business before them, are now ready to adjourn *sine die*, unless he has some further communication to make.

Pending the consideration of which, the hour of 12 o'clock midnight having arrived, Mr. President declared the Senate adjourned *sine die*, the time fixed in the constitution for the limitation of the General Assembly having expired.

R. M. PATTON,
President of the Senate.

TEST:

MICAH TAUL,
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